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ABSTRACT

This report contains statements by Stephen Kurzman, various Catholic parochial school representatives, Hebrew school representatives, Protestant representatives, ACLU personnel, and others advocating or opposing aid to nonpublic schools. Much of the material deals with permissible types of aid to parochial schools in light of recent United States Supreme Court decisions. Also included are relevant articles and publications on aid to nonpublic schools. (Photographs and pages 25-27, 41, 153-155, 187-188, 337-357, and 522-524 may reproduce poorly.) (JF)

AID TO NONPUBLIC EDUCATION, 1971-72

ED 078565

HEARINGS

BEFORE THE

SUBCOMMITTEE ON EDUCATION

OF THE

COMMITTEE ON
LABOR AND PUBLIC WELFARE
UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST AND SECOND SESSIONS

ON

AID TO NONPUBLIC EDUCATION

DECEMBER 2, 1971, AND JANUARY 11, 1972

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
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AID TO NONPUBLIC EDUCATION, 1971-72

THURSDAY, DECEMBER 2, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to call, in room 457, Old Senate Office Building, Senator Clairborne Pell (chairman of the subcommittee), presiding.

Present: Senator Pell.

Committee staff members present: Stephen J. Wexler, counsel: Richard D. Smith, associate counsel; and Roy H. Millenson, minority professional staff member.

Senator PELL. This hearing of the Subcommittee on Education will come to order.

Today we meet not on a specific bill, but on the subject of nonpublic education. Almost weekly one reads an article on how the nonpublic schools of the Nation are facing disaster and the effect this will have on local public school systems.

Moreover, during my 12 years in the Senate, discussion of increasing Federal supportive education legislation has seemed to touch upon aid to nonpublic schools.

The case law on this subject of nonpublic-school education has grown in the past few years. Indeed, each Federal education statute has given rise to a group of cases to challenge it.

What I seek to do through this hearing is to discuss just what comprises nonpublic education in our country, what are the numbers of children involved and who they are, where are the schools located, and what are the services provide?

And most important, what can we do to help the education of our children attending these schools.

I hope to compile a useful, comprehensive record, but the Nation as a whole must decide whether nonpublic education is of value. If it is, we must seek ways to provide assistance.

Our first witness today is Stephen Kurzman, Assistant Secretary for Legislation at the Department of Health, Education, and Welfare, who will present the administration's thinking. I think it is most fitting that Mr. Kurzman is here, because President Nixon, on August 17, committed himself to aid nonpublic education when he stated:

> We must see to it that our children are provided with the moral and spiritual and religious values so necessary to a great people in great times. And, as Cardinal Cooke has pointed out, at a time we see those private and parochial schools which lay such stress on these religious values, as we see them closing at the rate of one a day, we must resolve to stop that trend and turn it around. You can count on my support to do that.

I now look forward to hearing Mr. Kurzman; I know that in the months since President Nixon made this statement, his administration has been looking for ways to constitutionally determine how can the children in our Nation's nonpublic schools best be helped. It is a very tough nut to crack, but I believe it must be cracked.

Perhaps out of this hearing there will flow some constructive ideas. I well realize, having talked to the Secretary of Health, Education, and Welfare, the problems that are faced in trying to grapple with this issue, and I in no way want to embarrass you but I also have been thinking how we can address it. Perhaps out of a hearing of this sort we can come up with some ideas, particularly from the people involved, as to how we can help the children who are presently attending nonpublic schools.

Mr. Kurzman.

STATEMENT OF STEPHEN KURZMAN, ASSISTANT SECRETARY FOR LEGISLATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. **Kurzman**. Thank you very much, Mr. Chairman. I appreciate your remarks very much.

It is my pleasure to appear on behalf of the Department of Health, Education, and Welfare today on the important subject of aid to nonpublic schools.

Senator **Pell**. There is no acoustical system here; you will have to speak up so the people behind you can hear.

Mr. **Kurzman**. I will do so; thank you, Mr. Chairman.

On my right is Dr. Duane J. Mattheis, Deputy U.S. Commissioner of Education for School Systems, and on my left, well known to the subcommittee, is Mr. Christopher T. Cross, Deputy Assistant Secretary for Legislation (Education).

As you know, and as you have yourself referred to, Mr. Chairman, President Nixon has repeatedly stated his strong belief that nonpublic schools are a vital part of the educational system of this country and has stressed that their needs cannot be ignored by the Federal Government or the burden on public schools would become intolerable.

The nonpublic schools now enroll almost 5 million students, or 10 percent of all elementary and secondary pupils in the Nation. It has been estimated that it would cost almost $4 billion per year in additional operating costs and an estimated $5 billion for facilities for the public schools to absorb these students.

In 1970 the President demonstrated his concern by appointing the President's Panel on Nonpublic Education as a part of the President's Commission on School Finance, thereby strengthening each while increasing the opportunities for coordination and cooperation The Commission report will be filed in April of 1972 and will include the panel's recommendations on the problem of nonpublic school finances.

In his message on education reform of March 3, 1970, in which he announced the Commission on School Finance, the President said:

> "The nonpublic elementary and secondary schools in the United States have long been an integral part of the Nation's educational

> establishment—supplementing in an important way the main task of our public school system. The nonpublic schools provide a diversity which our educational system would otherwise lack. They also give a spur of competition to the public schools—through which educational innovations come, both systems benefit, and progress results.
>
> "Should any single school system—public or private—ever acquire a complete monopoly over the education of our children, the absence of competition would neither be good for the school system nor good for the country. The nonpublic schools also give parents the opportunity to send their children to a school of their own choice, and of their own religious denomination. They offer a wider range of possibilities for education experimentation and special opportunities for minorities, especially Spanish-speaking Americans and black Americans. The specific problems of parochial schools is to be a particular assignment of the Commission (on School Finance).
>
> "In its deliberations, I urge the Commission to keep two considerations in mind. First, our purpose here is not to aid religion in particular but to promote diversity in education; second, that nonpublic schools in America are closing at the rate of one a day."

In a speech before the Knights of Columbus in New York City in August, the President again said:

> "But when we talk about (the) character of a nation we must never forget that character depends upon the individual character of 200 million Americans. Where does that come from? It comes from the home. It comes from the churches. It comes from the schools of this Nation. There is where the character of the next generation, the coming generation, is being formed.
>
> "We must see to it that our children are provided with the moral and spiritual and religious values so necessary to a great people in great times. And, as Cardinal Cooke has pointed out, at a time (when) we see these private and parochial schools which lay such stress on these religious values, as we see them closing at the rate of one a day, we must resolve to stop that trend and turn it around. You can count on my support to do that."

In a welcoming statement sent to the Joint Conference of Public and Nonpublic School Superintendents in the Nation's Largest Cities meeting last month at Airlie House, the President said:

> "Your approach also properly recognizes that what should concern us most is the product of the educational process, namely the student and his needs, and not primarily the form that the process takes. It is my view that the most important and enduring result that can be achieved from this conference is a full recognition of the mutual dependence of our public and nonpublic schools."

Throughout these statements, the President's primary concern has been, and remains, to preserve and strengthen the role of nonpublic education as it contributes to the overall success of our educational system, within the constraints of the first amendment prohibiting laws respecting the establishment of religion by Government and requiring separation of church and state.

Prior to June 28 of this year, the Supreme Court had been applying—in cases such as *Everson* v *Board of Education*, (1947) and *Board of Education* v. *Allan* (1968)—two tests to determine the constitutionality of statutes providing aid to church-related elementary and secondary schools:

(1) the "purpose" test—does the act reflect a secular legislative purpose? And,

(2) the "primary effect" test—is the primary effect of the act to advance or inhibit religion?

On the basis of these tests the *Everson* and *Allan* decisions upheld the constitutionality of State statutes which provide aid—transportation and books in these cases—directly to children enrolled in sectarian elementary and secondary schools. These cases rest upon the so-called child benefit theory.

In June of this year, however, the Supreme Court handed down a decision in the cases of *Lemon* v. *Kurtzman and Earley* v. *DiCenso.*

In that decision the Court applied a third test to statutes providing aid to church-related educational institutions, the "excessive entanglement" test—does the administration of the act foster an excessive Government entanglement with religion?

In applying this test, which derives from the Court's decision in the case of *Walz* v *Tax Commission of New York* (1970), upholding the constitutionality of tax exemptions for church property, the Court fashioned these three criteria to be examined:

(1) The character and purpose of the institutions which are benefited;

(2) The nature of the aid; and

(3) The resulting relationship between the Government and the religious authority.

Using these criteria the Court struck down in *Earley* a Rhode Island statute which supplemented the salaries of teachers of secular subjects in church-related elementary schools and, in *Lemon*, a Pennsylvania statute which reimbursed church-related elementary and secondary schools for the cost of providing education in secular subjects.

The Court did not in these cases, however, overrule its earlier decisions in *Everson* and *Allan.*

As a result of applying these three tests, plus the three criteria under the "excessive entanglement" test, the Court has, to paraphrase Mr. Justice White, created a paradox; the Government may not, in giving assistance to sectarian schools, permit that assistance to be used to promote religion.

But if the Government takes steps to see to it that the assistance is not used for that purpose, the Government is likely to become "excessively" and therefore unconstitutionally "entangled" with religion.

Federal statutes such as the Elementary and Secondary Education Act of 1965 provide assistance to children enrolled in private—including sectarian—elementary and secondary schools on the basis of the child benefit theory expounded in the *Everson* and *Allen* cases.

We believe those cases continue to provide a sound basis for the types of assistance which are now provided children enrolled in private schools under those statutes and for the types of assistance which would be provided such children under the Education Revenue Sharing Act of 1971, S. 1669, which is pending before this subcommittee.

Mr. Chairman, I would ask at this point to have printed at the end of my statement an appendix outlining all techniques used to give aid to nonpublic school children by the Federal Government and statistical information on the amount of assistance used by children attending nonpublic schools.

Senator **Pell**. Without objection. That will prove to be very interesting, I think, to the whole thrust of this hearing. We hope to have another hearing in New England, for we have a real problem there.

I believe this table—the finished one—should be best.

Mr. **Kurzman**. Thank you, Mr. Chairman.

As Secretary Richardson pointed out in his testimony before this subcommittee on October 27, the administration education revenue sharing proposal mandates nonpublic school child participation on an equitable basis in the affected Federal program except for impact aid, Public Law 81–874, and Public Law 81–815.

If a State were unwilling or unable to provide such participation, the Secretary would arrange for similar programs with appropriate nonprofit institutions, such as institutions of higher learning and would deduct the cost from the State's allotment. This provision would expand the participation of eligible nonpublic-school children in Federal programs since they are not currently eligible to participate in all the programs which would be included in Federal education revenue sharing.

The administration proposal, in providing for support of eligible nonpublic school children in the manner I have described, uses the type of mechanism now exemplified by title II of ESEA (libraries), a mechanism which is based on the child benefit theory. We recommended this type of provision for revenue sharing after examining the various alternatives and noting that title II, among all the programs of aid to nonpublic-school children, seems to come closest in providing benefits to nonpublic-school children in proportion to their percentage in the country, now approximately 10 percent.

Thus, title II has been generally accepted by nonpublic groups as providing the most equitable benefits for all the approaches used to date.

In conclusion, Mr. Chairman, I would in no way want to prejudge what stand the administration will ultimately take on specific proposals to aid nonpublic schools or schoolchildren. We will want to receive the proposals of the President's Commission and Panel, as well as any proposal put forward in hearings such as these by the Congress, and to give them full and careful consideration.

Our goal remains clear. While recognizing the importance and essentiality of the public schools, this administration believes in the viability of the nonpublic sector of our education community as well. It also recognizes the serious fiscal needs facing that sector as well, and it will do whatever is feasible, within the bounds of the Constitution and available resources, to bring the necessary relief.

Thank you, Mr. Chairman.

Senator **Pell**. Thank you very much.

I notice that you have as a criteria, the purpose test, but then I notice you talk about the character and purposes, the nature of aid. Isn't that the same thing as the primary assessment?

Mr. **Kurzman**. I think that's a fair statement, Mr. Chairman. In the more recent decisions the Court was more explicit and used greater detail in defining the tests and added the term "entanglement" which had not appeared in the earlier decisions.

But I think your characterization of the net effect is correct, that the Court is applying the same basic tests; it simply was achieving greater specificity in applying them.

Senator **Pell**. Well, speaking as a nonlawyer to a lawyer, and simplifying this from the viewpoint of my constituents, there are really three points involved; the purpose, the primary effect, and the excessive entanglement, and each of these is a separate entity in itself.

Any one of these—if it is overstepped, could cause that particular form of aid to be found unconstitutional.

Would that be a correct statement?

Mr. **Kurzman**. I am not quite sure—and here I must say that I am departing from my specific role in the Department and in the administration in offering to answer questions on the constitutionality. However, I would say that my impression is that these tests have to be applied in a balancing matter, rather than merely the notion that any one, if not met, will bring down the statute.

In other words, I think there may have to be some kind of continuum on each test, some sort of a mixture where a particular statute is on any one of the tests. That may make a difference.

Senator **Pell**. If any one of them are clearly overstepped——

Mr. **Kurzman**. I think if anyone was clearly way over on the continuum, you are right, Mr. Chairman.

Senator **Pell**. I notice from your table, that you are only including programs in your own Department. Doesn't the National Science Foundation make available grants for teachers in private schools in order to increase their expert knowledge, and doesn't the Humanities Endowment also do a little of the same.

Mr. **Kurzman**. Yes, and I believe the Agriculture Department as well, Mr. Chairman.

Senator **Pell**. As to the National Science Foundation——

Mr. **Kurzman**. And I was adding to the two you mentioned, the Agriculture Department as well.

Senator **Pell**. Could you submit for the record all others, speaking for the Government—you as the spokesman for education—all other governmental programs that assist nonpublic schools?

Mr. **Kurzman**. We will be happy to do that, Mr. Chairman.

Senator **Pell**. Agriculture, National Science Foundation—I think the Endowment in Humanities gives a little help. I am not sure of the extent, and whatever other—perhaps the Defense Department.

Mr. **Kurzman**. We will be happy to supply that, sir.

Senator **Pell**. Thank you.

Now, the question always comes up after these hearings, where do we go from here? And without trying to put you on the spot in any way, do you see any way of presenting legislative proposals before the end of this Congress? Do you see that that is so tough to crack that we are going to have to continue wrestling with it and take a longer time than that to come up with proposals?

Mr. **KURZMAN**. I am afraid I really can't answer that, Mr. Chairman. I think the effort is ongoing, and whether it will bear fruit within the administration, or within the Congress or elsewhere, within any given time, is a very difficult problem.

Senator **PELL**. As chairman of this subcommittee I want to be of help to this administration in developing any information or ideas that could be put into legislation form.

Mr. **KURZMAN**. I think that the very fact that the subcommittee is holding these hearings is helpful, and I would hope that the witnesses who appear, who may have specific proposals, will air them, and debate and analysis by constitutional lawyers will take place.

The recent decisions, of course, are very complex; the mixtures of pluralities and majorities on the Court are complex. The concepts are very difficult, and I think that any new proposal needs to be weighed very carefully in the light of all these factors, and I think that having public debate on them is very desirable.

Senator **PELL**. I think from a practical political viewpoint, it is good in many ways, because one finds that many Catholics do not support the parochial schools, particularly relating to the parish and—you find some of the younger—I will bring this out in the hearing later on—the younger Catholics believe that their money could better be spent in other ways.

Personally I am a great believer in pluralism in education and the character forming that goes into various church schools. I know my own four children went to church schools, and I just believe that this plurality, this choice of systems should be offered to our children.

Thank you very much, indeed.

Mr. **KURZMAN**. Thank you, Mr. Chairman.

(The prepared statement of Mr. Kurzman and other material submitted for the record follow:)

FOR RELEASE UPON DELIVERY

STATEMENT BY
HONORABLE STEPHEN KURZMAN
ASSISTANT SECRETARY FOR LEGISLATION
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
BEFORE THE
EDUCATION SUBCOMMITTEE OF THE COMMITTEE
ON LABOR AND PUBLIC WELFARE
UNITED STATES SENATE
Thursday, December 2, 1971
10:00 A.M. EST

Stephen Kurzman will be accompained by:

Duane J. Mattheis, Deputy U.S. Commissioner of Education for School Systems

Christopher T. Cross, Deputy Assistant Secretary for Legislation (Education)

Mr. Chairman and Members of the Subcommittee:

It is my pleasure to appear on behalf of the Department of Health, Education, and Welfare on the important subject of aid to nonpublic schools.

The Administration's Position

As you know, President Nixon has repeatedly stated his strong belief that nonpublic schools are a vital part of the educational system of this country and has stressed that their needs cannot be ignored by the Federal Government or the burden on public schools will become intolerable.

The nonpublic schools now enroll almost 5 million students or 10% of all elementary and secondary pupils in the Nation. It has been estimated that it would cost almost $4 billion per year in additional operating costs and an estimated $5 billion for facilities for the public schools to absorb these students.

In 1970 the President demonstrated his concern by appointing the President's Panel on Nonpublic Education as a part of the President's Commission on School Finance, thereby strengthening each while increasing the opportunities for coordination and cooperation. The Commission Report will be filed by April of 1972 and will include the Panel's recommendations on the problem of nonpublic school finance.

In his message on Education Reform of March 3, 1970, in which he announced the Commission on School Finance the President said:

> The nonpublic elementary and secondary schools in the United States have long been an integral part of the Nation's educational establishment--supplementing in an important way the main task of our public school system. The nonpublic schools provide a diversity which our educational system would otherwise lack. They also give a spur of competition to the public schools--through which educational innovations come, both systems benefit, and progress results.
>
> Should any single school system--public or private--ever acquire a complete monopoly over the education of our children, the absence of competition would neither be good for the school system nor good for the country. The nonpublic schools also give parents the opportunity to send their children to a school of their own choice, and of their own religious denomination. They offer a wider range of possibilities for education experimentation and special opportunities for minorities, especially Spanish-speaking Americans and black Americans.
>
> ....
>
> The specific problems of parochial schools is to be a particular assignment of the Commission (on School Finance).
>
> In its deliberations, I urge the commission to keep two considerations in mind. First, our purpose here is not to aid religion in particular but to promote diversity in education; second, that nonpublic schools in America are closing at the rate of one a day.

In a speech before the Knights of Columbus in New York City in August the President again said.

> But when we talk about [the] character of a nation we must never forget that character depends upon the individual character of 200 million Americans. Where does that come from? It comes from the home. It comes from the churches. It comes from the schools of this Nation. There is where the character of the next generation, the coming generation, is being formed.

> We must see to it that our children are provided with the moral and spiritual and religious values so necessary to a great people in great times. And, as Cardinal Cooke has pointed out, at a time [when] we see those private and parochial schools which lay such stress on these religious values, as we see them closing at the rate of one a day, we must resolve to stop that trend and turn it around. You can count on my support to do that.

In a welcoming statement sent to the Joint Conference of Public and Nonpublic School Superintendents in the Nation's Largest Cities meeting last month at Airlie House, he said:

> Your approach also properly recognizes that what should concern us most is the product of the educational process, namely the student and his needs, and not primarily the form that the process takes. It is my view that the most important and enduring result that can be achieved from this conference is a full recognition of the mutual dependence of our public and nonpublic schools.

Throughout these statements, the President's primary concern has been, and remains, to preserve and strengthen the role of nonpublic education as it contributes to the overall success of our educational system, within the constraints of the First Amendment prohibiting laws respecting the establishment of religion by government and requiring separation of church and State.

Constitutional Constraints

Prior to June 28 of this year, the Supreme Court had been applying--in cases such as Everson v. Board of Education (1947) and Board of Education v. Allan (1968)--two tests to determine the constitutionality of statutes providing aid to church-related elementary and secondary schools:

(1) the "purpose" test--does the Act reflect a secular legislative purpose? and

(2) the "primary effect" test--is the primary effect of the Act to advance or inhibit religion?

On the basis of these tests the Everson and Allan decisions upheld the constitutionality of State statutes which provide aid--transportation and books in these cases--directly to children enrolled in sectarian elementary and secondary schools. These cases rest upon the so-called "child benefit theory".

In June of this year, however, the Supreme Court handed down a decision in the cases of Lemon v. Kurtzman and Earley v. DiCenso. In that decision the Court applied a third test to statutes providing aid to church-related educational institutions, the "excessive entanglement" test--does the administration of the act foster an excessive government entanglement with religion? In applying this test, which derives from the Court's decision in the case of Walz v. Tax Commission of New York (1970), upholding the constitutionality of tax exemptions for church property, the Court fashioned three criteria to be examined:

(1) the character and purpose of the institutions which are benefited;

(2) the nature of the aid; and

(3) the resulting relationship between the government and the religious authority.

Using these criteria the Court struck down in Earley a Rhode Island statute which supplemented the salaries of teachers of secular subjects in church-related elementary schools and in Lemon a Pennsylvania statute which reimbursed church-related elementary and secondary schools for the cost of providing education in secular subjects. The Court did not in these cases, however, overrule its earlier decisions in Everson and Allan.

As a result of applying these three tests, plus the three criteria under the "excessive entanglement" test, the Court has, to paraphrase Mr. Justice White, created a paradox; the government may not, in giving assistance to sectarian schools permit that assistance to be used to promote religion. But if the government takes steps to see to it that the assistance is not used for that purpose, the government is likely to become "excessively", and therefore unconstitutionally, "entangled" with religion.

Federal statues such as the Elementary and Secondary Education Act of 1965 provide assistance to children enrolled in private (including sectarian) elementary and secondary schools on the basis of the child benefit theory expounded in the Everson and Allan cases. We believe those cases continue to provide a sound basis for the types of assistance which are now provided children enrolled in private schools under those statutes and for the types of assistance which would be provided such children under the Education Revenue Sharing Act of 1971, S. 1669, which is pending before this Subcommittee. Mr. Chairman, I would ask to have printed at the end of my statement an appendix outlining all techniques used to give aid to nonpublic schoolchildren by the Federal Government and statistical information on the amount of assistance used by children attending nonpublic schools.

Education Revenue Sharing

As Secretary Richardson pointed out in his testimony before this subcommittee on October 27, the Administration Education Revenue Sharing proposal mandates nonpublic schoolchild participation on an equitable basis in the affected Federal programs except impact aid, P.L. 81-874 and P.L. 81-815. If a State were unwilling or unable to provide such participation, the Secretary would arrange for similar programs with appropriate nonprofit institutions, such as institutions of higher education, and would deduct the cost from the State's allotment. This provision would expand the participation of eligible nonpublic schoolchildren in Federal programs, since they are not currently eligible to participate in all the programs which would be included in Education Revenue Sharing.

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The Administration proposal, in providing for support of eligible nonpublic schoolchildren in the manner described above, uses the type of mechanism now exemplified by Title II of ESEA (libraries), a mechanism which is based on the child benefit theory. We recommended this type of provision for revenue sharing after examining the various alternatives and noting that Title II, among all the programs of aid to nonpublic schoolchildren, seems to come closest in providing benefits to nonpublic schoolchildren in proportion to their percentage in the country, now approximately 10%. Thus Title II has been generally accepted by nonpublic groups as providing the most equitable benefits of all the approaches used to date.

Conclusion

I would in no way want to prejudge what stand the Administration will ultimately take on specific proposals to aid nonpublic schools or schoolchildren. We will want to receive the proposals of the President's Commission and Panel, as well as any proposal put forward in hearings such as these by the Congress, and to give them full and careful consideration.

Our goal remains clear. While recognizing the importance and essentiality of the public schools, this Administration believes in the viability of the nonpublic sector of our education community as well. It also recognizes the serious fiscal needs facing that sector and it will do whatever is feasible, within the bounds of the Constitution and available resources, to bring the necessary relief.

Federal Funds Available for Participating Nonpublic School Children

in

Office of Education Administered Programs

Year	Activity	Total Available Dollars	Nonpublic School Children as a Percent of Total Participating	Total Dollars Available For Nonpublic
	Bureau of Adult, Vocational, & Technical Education			
1969	Expansion & Improvement of Vocational Ed......	248,215,823	.4%	992,863
1970	Basic Grants to States	307,497,455	.4%	1,229,989
	Cooperative Education	14,000,000	.4%	56,000
	Innovation.............	13,000,000	.4%	52,000
	Special Needs..........	17,000,000	.4%	68,000
	Bureau of Education for the Handicapped			
1969	89-313 State and to Handicapped Education.....	29,743,000	23.0%	6,840,890
	VI-A Improvement of Ser. to Handicapped by State	29,250,000	4.0%	1,170,000
1970	No Data Available			
	Bureau of Elementary & Secondary Education			
1969	Title I	990,088,747	4.0%	39,603,549
	Title II ESEA	50,000,000	12.4%	6,000,000
	Title III NDEA Nonprofit Private Schools	2,038,633	100.0%	2,038,636
	Title III ESEA	164,876,000	9.0%	14,838,840
	Title VII ESEA	7,500,000	4.0%	300,000
	Title VIII ESEA	5,000,000	7.0%	350,000
	Title V-A ESEA	17,000,000	1.0%	170,000
	Follow Through	32,000,000	1.99%	639,990
1970	Title I ESEA	1,183,157,449	3.7%	47,326,297
	Title II ESEA	42,500,000	12.0%	5,100,000
	Nonprofit Private Schools	500,000	100.0%	500,000
	Title III ESEA	116,393,000	9.0%	10,475,370
	Title VII ESEA	21,250,000	.4%	85,000
	Title VIII ESEA	5,000,000	7.0%	350,000
	Title V-A ESEA	14,450,000	1.0%	144,500
	Follow Through	70,300,000	.94%	661,850

INSERT 2

FEDERAL ASSISTANCE PROGRAMS FOR STUDENTS IN NONPUBLIC ELEMENTARY AND SECONDARY SCHOOLS

Congress has established educational programs to benefit students in both public and private schools through the passage of legislation such as the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, and the National Defense Education Act of 1958. In addition, there are other programs which benefit nonpublic school students as well as public school pupils, such as the school lunch and milk programs, administered by the Department of Agriculture.

The following are the major Federal programs affecting the education of children in private elementary and secondary schools:

PROGRAM:

Bilingual Education (Title VII)

The development and operation of new programs, services, and activities which meet the special educational needs of children 3 to 18 years of age who have limited English-speaking ability and who come from environments where the dominent language is not English.

FOR INFORMATION CONTACT:

WRITE:
Division of Compensatory Education
Bureau of Elementary and Secondary Education
U.S. Office of Education
Washington, D.C.

LEGAL BASIS:

Bilingual Education Act: Public Law 90-247, as amended by Public Law 91-230; 20 U.S.C. 880b.

Dropout Prevention

PROGRAM:

To provide grants to local public education agencies for the development and demonstration of educational practices which show promise of reducing the number of children who fail to complete their elementary and secondary education.

FOR INFORMATION CONTACT:

Local education agency

OR WRITE:

Chief
Dropout Prevention Program,
Bureau of Elementary and Secondary Education
Office of Education
400 Maryland Avenue, S.W.
Washington, D.C.

LEGAL BASIS:

Elementary and Secondary Education Act of 1965 as amended; Public Law 89-10; Title VIII, Section 807; Elementary and Secondary Education Amendments of 1967; Public Law 90-247; Titles I, VII, Sections 172, 702; 20 U.S.C. 887.

PROGRAM:

Supplementary Educational Centers and Services, Guidance, Counseling, and Testing

Innovative and exemplary projects which are designed to demonstrate solutions to the critical educational needs of the state, as specified in the state plan, are eligible for support. At least 15 percent of the funds must be reserved for special programs for handicapped children. For the purposes of guidance, counseling, and testing programs, each state must expend no less than 50 percent of the amount expended from fiscal year 1970 Federal grant funds for the purposes of Title V-A of the National Defense Education Act, which formerly authorized the guidance, counseling and testing program. The Commissioner of Education is authorized to arrange for the testing of nonpublic school students in any state in which the state provides such testing in public schools, but is not authorized by law to make payments for such testing in nonpublic schools. An invitation to bid on testing materials and/or services is sent to test agencies by the Office of Education

FOR INFORMATION CONTACT:

Chief
State Plans Branch,
Office of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

LEGAL BASIS:

Elementary and Secondary Education Education Act of 1965, as amended; Public Law 89-10, Title III, section 301; 79 Stat. 39; 20 U.S.C. 841.

PROGRAM: EDUCATION OF THE HANDICAPPED

This program helps meet the needs of children who are handicapped by providing a variety of needed educational services.

Possible programs for children in private schools include grants for research and demonstration projects, grants for experimental preschool and early childhood programs, deaf-blind centers, film and instructional media, physical education and recreation research and training, and regional resource centers, handicapped teacher education and teacher recruitment and information.

FOR INFORMATION CONTACT:

Bureau of Education for the Handicapped
Office of Education
Washington, D.C. 20202

LEGAL BASIS: EDUCATION FOR THE HANDICAPPED ACT, Public Law 91-230; 20 U.S.C. 1401

PROGRAM: Vocational Education

To assist in conducting vocational education programs for persons of all ages in all communities with the objective of insuring that education and training programs for career vocations are available to all individuals who desire and need such education and training.

Possible programs include grants to states, grants for handicapped, grants to state advisory councils.

FOR INFORMATION CONTACT:

HEW Regional Offices

OR:

Director
Division of Vocational and Technical Education
Bureau of Adult, Vocational and Technical Education
Office of Education
Washington, D.C.

LEGAL BASIS: Vocational Education Amendments of 1968, Title I, Part B; Public Law 90-576

PROGRAM:	School Library Resources, Textbooks, and other Instructional Materials To improve the quality of instruction by providing funds to states to acquire school library resources, textbooks, and other printed and published instructional materials for use in public and private elementary and secondary schools.
FOR INFORMATION CONTACT CONTACT:	State Education Agency OR WRITE: Director Division of State Agency Cooperation Bureau of Elementary and Secondary Education Office of Education Washington, D.C. 20202
LEGAL BASIS:	Elementary and Secondary Education Act of 1965; Title II; Public Law 89-10; Public Law 89-750; Public Law 90-247; Public Law 91-230; 20 U.S.C. 281.
PROGRAM:	School Equipment Loans to Nonprofit Private Schools To provide loans to nonprofit private elementary and secondary schools for the acquisition of equipment and minor remodeling of laboratory or other space.
FOR INFORMATION CONTACT:	Director Division of State Agency Cooperation Bureau of Elementary and Secondary Education Office of Education Washington, D.C. 20202
LEGAL BASIS:	National Defense Education Act of 1968; Public Law 85-864, as amended, Title III, Section 305; 20 U.S.C. 441.

PROGRAM: Contracts to Encourage Full Utilization of Educational Talent

The programs under this include:

1. Talent Search, designed to identify qualified youths of financial or cultural need with an exceptional potential for postsecondary educational training and encourage them to complete secondary school and undertake postsecondary educational training.

publicize existing forms of student financial aid, including aid furnished under this title,

encourage secondary-school or college dropouts of demonstrated aptitude to reenter educational programs, including post-secondary-school programs.

2. Upward Bound, which designed to generate skills and motivation necessary for success in education beyond high school and in which enrollees from low-income backgrounds and with inadequate secondary-school preparation participate on a substantially full-time basis during all or part of the program

3. Special Services for Disadvantaged Students, of remedial and other special services for students with academic potential who are enrolled or accepted for enrollment at the institution which is the beneficiary of the grant or contract, and who, by reason of deprived educational, cultural, or economic background, or physical handicap, are in need of such services to assist them to initiate, continue, or resume their postsecondary education.

FOR INFORMATION CONTACT:

Division of Special Student Services
Office of Education
Washington, D.C. 20202

LEGAL BASIS: Higher Education Act of 1965, Title IV-A, Public Law 89-239, Public Law 90-575; 20 U.S.C. 1101.

PROGRAM: **Improved Education for Children in Poverty Areas**

This program helps meet the needs of children in low income areas by providing a variety of vitally needed educational services. Each school district determines which programs are needed to help its educationally deprived children.

Possible programs for children in private schools include shared time, educational radio and television, loan of equipment and materials, and sending public school teachers into the private schools for special services.

FOR INFORMATION CONTACT: Local Public Educational Agency

OR WRITE:

Division of Compensatory Education
Bureau of Elementary and Secondary Education
U.S. Office of Education
Washington, D.C.

LEGAL BASIS: The Elementary and Secondary Education Act of 1965 (P.L. 89-10 as amended, Title I)

PROGRAM: **Surplus Property Utilization Program**

This program provides Federal surplus property of all kinds, including tools, furniture, communication and construction machinery for both public and private educational institutions

FOR INFORMATION CONTACT:

Surplus Property Utilization Division
Department of Health, Education, and Welfare
Washington, D.C.

LEGAL BASIS: Federal Property and Administrative Services Act of 1949 (P.L. 81-152 as amended)

PROGRAM: **Community Action Program**

This program provides Federal assistance to private organizations, including schools, for a variety of projects such as remedial education programs for the correction of deficiencies in reading, language arts, spelling, and mathematics; pre-school day care and nursery centers for three and four-year olds; and tutoring programs for pupils in need of extra educational assistance. These educational programs are limited by law to "special remedial and other noncurricular educational assistance."

FOR INFORMATION CONTACT: Local Community Action Program Agency

OR WRITE:

Community Action Program
Office of Economic Opportunity
Washington, D.C.

LEGAL BASIS: Economic Opportunity Act of 1964
(P.L. 88-452, as amended, Title II-A)

PROGRAM: National School Lunch Program

This program provides Federal funds and foods to States and territories for use in serving mid-day meals to children attending both public and nonprofit private schools.

FOR INFORMATION CONTACT: Director, Child Nutrition Division
Food and Nutrition Service
U.S. Department of Agriculture
Washington, D.C.

LEGAL BASIS: National School Lunch Act of 1946
(P.L. 79-396 as amended)

PROGRAM: Special Milk Program

This program provides milk for children in both public and nonprofit private schools.

FOR INFORMATION CONTACT: Director, Child Nutrition Division
Food and Nutrition Service
U.S. Department of Agriculture
Washington, D.C.

LEGAL BASIS: Agriculture Act of 1949
(P.L. 83-690 as amended)

50 STATES AND D.C.

TABLE 127.--NUMBER AND PERCENT OF PUBLIC AND NONPUBLIC SCHOOL PARTICIPANTS IN FEDERALLY AIDED PROGRAMS OPERATED BY LOCAL EDUCATION AGENCIES, BY CONTROL OF SCHOOL AND BY PUPIL POPULATION GROUP : REGULAR SCHOOL TERM, 1969-70 AND SUMMER SCHOOL TERM, 1970

		NUMBER OF PARTICIPANTS PUBLIC SCHOOL		NONPUBLIC SCHOOL	
PUPIL POPULATION GROUP	TOTAL	NUMBER	PERCENT	NUMBER	PERCENT
CHILDREN FROM LOW INCOME AREAS.....	7,287,229	7,039,355	96.6	247,874	3.4
HANDICAPPED CHILDREN...............	388,710	378,692	97.4	10,028	2.6
NONSTANDARD ENGLISH SPEAKING CHILDREN...........................	311,817	303,573	97.4	8,244	2.7
MIGRANT CHILDREN...................	153,061	152,726	99.8	335	.3
NEGLECTED AND DELINQUENT CHILDREN..	57,728	47,966	83.1	9,762	17.0
GENERAL ELEMENTARY AND SECONDARY POPULATION CHILDREN................	28,504,047	26,741,321	93.8	1,762,726	6.2
DROPOUTS, POTENTIAL DROPOUTS, AND FORMER DROPOUTS................	144,348	143,853	99.7	495	.4
ADULTS.............................	711,630	705,599	99.2	6,031	.8

NOTE : A PARTICIPANT MAY BE REPORTED IN MORE THAN ONE POPULATION GROUP.

PERCENTS MAY NOT ADD TO 100.0 BECAUSE OF ROUNDING.

INSERT 3

50 STATES AND D.C.

TABLE 3C 5.--(CONTD) NUMBER OF PUBLIC AND NONPUBLIC SCHOOL PARTICIPANTS IN FEDERALLY AIDED PROGRAMS OPERATED BY LOCAL EDUCATION AGENCIES, BY LEVEL OF INSTRUCTION AND BY SERVICE AND ACTIVITY: REGULAR SCHOOL TERM, 1969-70 AND SUMMER SCHOOL TERM, 1970

SERVICE AND ACTIVITY	NUMBER OF PARTICIPANTS				
	PUBLIC SCHOOL, SUMMER, 1970				NONPUBLIC SCHOOL, REGULAR, 1969-70 AND SUMMER, 1970
	PREKINDERGARTEN AND KINDERGARTEN	OTHER ELEMENTARY	SECONDARY	OUT OF SCHOOL YOUTH AND ADULTS	
DIRECT EDUCATIVE SERVICES (TEACHING AND AIDING TEACHING)					
BASIC SKILLS					
REMEDIAL					
ENGLISH LANGUAGE ARTS (EXCEPT READING)	67,965	361,802	107,914	27,567	33,371
READING	51,248	894,323	136,413	20,296	131,918
CULTURAL	52,367	275,347	91,867	7,504	27,222
SOCIAL SCIENCE/SOCIAL STUDIES	25,340	138,580	32,669	10,574	13,043
NATURAL SCIENCE AND MATHEMATICS	40,865	457,557	85,990	25,808	59,308
OTHER	26,461	259,104	62,318	8,117	37,666
NONREMEDIAL (REGULAR) AND ENRICHMENT					
ENGLISH LANGUAGE ARTS (EXCEPT READING)	56,986	112,969	24,395	5,906	14,083
READING	38,282	168,928	26,580	5,206	20,929
CULTURAL	60,570	193,209	35,832	4,903	38,795
SOCIAL SCIENCE/SOCIAL STUDIES	32,736	58,048	17,960	5,939	10,445
NATURAL SCIENCE AND MATHEMATICS	39,026	120,688	33,138	6,095	21,632
OTHER	35,775	135,967	47,696	9,153	17,650
DIFFERENTALIZED CURRICULUM FOR THE HANDICAPPED	746	9,628	2,897	71	1,927
VOCATIONAL SKILLS AND ATTITUDES	0	83,811	97,530	39,811	2,953
TEXTBOOKS	17,631	168,969	11,027	23,077	16,479
SUPPORTING SERVICES					
AUDIOVISUAL MATERIALS AND ALL PRINTED MATERIALS (EXCLUDING TEXTBOOKS)	120,167	889,148	352,015	16,225	1,027,104
PUPIL SERVICES					
GUIDANCE AND COUNSELING					
VOCATIONAL	0	42,291	39,475	15,954	9,600
OTHER	23,649	171,475	63,748	9,540	39,627
TESTING	76,573	318,628	67,355	9,788	259,322
SCHOOL PSYCHOLOGICAL SERVICES	13,533	81,689	38,258	252	40,257
ATTENDANCE AND SCHOOL SOCIAL WORK	59,361	139,104	63,200	5,431	57,964
HEALTH SERVICES	94,943	245,595	59,930	2,081	73,357
STUDENT SUBSIDIES	1,237	27,030	16,227	3,419	483
PUPIL TRANSPORTATION	103,825	526,445	132,406	3,436	71,989
FOOD SERVICE	123,003	552,420	106,144	1,682	48,432
SPECIAL SERVICES FOR HANDICAPPED CHILDREN	14,468	6,052	2,003	246	1,628
OTHER PUPIL SERVICES	21,275	118,126	79,559	1,763	30,507

INSERT 3 (cont.)

50 STATES AND D.C.

TABLE 227.--NUMBER OF PUBLIC AND NONPUBLIC SCHOOLS IN FEDERALLY AIDED PROGRAMS OPERATED BY LOCAL EDUCATION AGENCIES, BY PUPIL POPULATION GROUP: REGULAR SCHOOL TERM, 1969-70 AND SUMMER SCHOOL TERM, 1970

	NUMBER OF SCHOOLS		
PUPIL POPULATION GROUP	TOTAL	PUBLIC	NONPUBLIC
CHILDREN FROM LOW INCOME AREAS......	51,738	46,159	5,579
HANDICAPPED CHILDREN................	10,232	9,697	535
NONSTANDARD ENGLISH SPEAKING CHILDREN...........................	2,831	2,598	233
MIGRANT CHILDREN....................	3,425	3,409	16
NEGLECTED AND DELINQUENT CHILDREN...	2,094	1,828	266
GENERAL ELEMENTARY AND SECONDARY POPULATION CHILDREN.................	65,862	60,706	5,156
DROPOUTS, POTENTIAL DROPOUTS, AND FORMER DROPOUTS.................	2,323	2,244	79
ADULTS..............................	7,635	7,479	156

NOTE: A SCHOOL MAY BE REPORTED FOR MORE THAN ONE POPULATION GROUP.
A SCHOOL IS COUNTED ONLY ONCE FOR REGULAR SCHOOL TERM OR SUMMER SCHOOL TERM.

Federal Programs in Which Private Schools And Colleges May Participate

DEPARTMENT OF AGRICULTURE

National School Lunch Program

The purpose of this program is to improve the health and well-being of the Nation's children by providing funds and foods to States and territories for use in serving nutritious midday meals to children attending schools of high school grade and less. The Federal assistance is through payments to the educational agency of each State which then channels the aid to participating schools. However, 42 U.S.C. 1759 provides that in any State where the State educational agency is not permitted by law to disburse the funds to nonprofit schools, they shall be disbursed directly to such schools for program purposes.

Special Milk Program

Under this program, funds of the Commodity Credit Corporation are used to increase the consumption of fluid milk by children in nonprofit schools of high school grade and under, in nonprofit nursery schools, child care centers, etc., devoted to the care and training of children.

DEPARTMENT OF DEFENSE

Research and Development Programs

Grants and contracts for research and development, together with research facilities, are made with educational institutions both public and private.

Training in non-Federal Facilities

Training programs for both civilian and military personnel of the department are carried on in institutions of higher education.

DEPARTMENT OF COMMERCE

Research and Development Programs

Grants and contracts for research and development together with research facilities, are made with educational institutions both public and private.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE - OFFICE OF EDUCATION

Cooperative Research Program

Research, demonstrations, course content improvement and related programs are carried out in cooperation with colleges, universities, and State education agencies.

Higher Education Facilities Construction Grants

Grants are made to institutions of higher education for construction of academic facilities designed for research and instruction in the natural and physical sciences, engineering, mathematics, and modern foreign languages, and for libraries. Construction grants are also available for the establishment or improvement of graduate schools or cooperative graduate centers. The Federal support is limited to one-third of the total cost.

Higher Education Facilities Construction Loans

Loans are made for up to 75 percent of the cost of construction of academic facilities in institutions of higher education.

Institutes Programs

Contracts are made with institutions of higher education for summer and regular academic year training programs to improve the qualifications of school counselors and of school personnel in foreign languages (reading, history, geography, English, disadvantaged youth, library services, and educational media). Personnel from both public and private schools are eligible.

Language and Area Centers

Contracts are made with institutions of higher education for the establishment and operation by them of centers for the teaching of certain modern foreign languages and studies related to the cultures in which such languages are used.

Language Fellowships

Stipends are paid to individuals undergoing advanced training in any modern foreign language for which there is a special need in business, government or education. No payment is made to the institutions.

Language Research

Contracts are made with institutions of higher education for studies and surveys relating to the need for improved instruction in modern foreign languages and research in effective methods of improving such instruction.

Loans to Nonprofit Private Schools

Title III of the National Defense Education Act provides loans to nonprofit private schools for the acquisition of equipment and minor remodeling of laboratory or other space, in order to strengthen instruction in science, mathematics, foreign languages, history, civics, geography, English, and reading.

NDEA Graduate Fellowships

Grants are made to individuals and costs of education payments to institutions of higher education.

Research and Dissemination in Educational Media

Grants or contracts are made with institutions of higher education for research and dissemination in the educational uses of such newer communication media as television, radio and motion pictures.

Research and Demonstration in Educational Improvement for the Handicapped

Grants are awarded to institutions of higher education for the development of new curricular materials, teaching techniques, and other research and demonstration projects.

Student Loan Program

Under Title II of the NDEA funds are appropriated to institutions of higher education so that they may provide low-interest, long-term loans to needy students. Loans are also provided to institutions to help finance their contributions to the loan fund and up to 50 percent of a student loan can be cancelled for service as a teacher after graduation.

Testing Students in Nonprofit Private Schools

Under Title V of the NDEA funds are provided for testing students in secondary, elementary, junior college, or technical institution levels.

Training Grants in Educationl Improvement for the Handicapped

Grants are made to institutions of higher education to support training of teachers, supervisors, speech correctionists, research and other professional personnel in fields related to the education of handicapped children.

DHEW - PUBLIC HEALTH SERVICE

Bureau of State Services Fellowships

Stipends are awarded to individuals and cost of education payments to institutions of higher education for study in the fields of air pollution and water supply and pollution control.

Bureau of State Services Training Grants

Grants are made to institutions of higher education to meet the costs of providing specialized, technical or advanced training in such fields as air pollution, chronic diseases, radiological health, etc.

NIH Fellowships

Stipends are awarded to individuals and cost of education payments to institutions for research and study in health and health related fields such as cancer, heart disease, mental health, etc.

NIH General Research Support

Grants to institutions of higher education to strengthen health research

NIH Health Research Facilities Support

Grants to institutions of higher education for construction of research facilities

NIH Research Career Awards

Grants to individuals in academic and career research positions in universities, medical schools, and research institutions

NIH Traineeships

Stipends are determined individually on the basis of the applicant's qualifications and particular training needs.

NIH Training Grants

Grants are made to assist insitutions of higher education in research training programs in health and health related fields.

Nurse Training Program

Grants are made to individuals and institutions of higher education to support nurse training programs. Program includes loans and additional support of collegiate and nursing school training programs.

Professional Public Health Personnel Traineeships

Awards are made either directly to individuals or through grants to institutions of higher education to cover the cost of tuition, fees, and subsistence during graduate or specialized training in public health of physicians, engineers, nurses and other professional health personnel.

Project Grants for Graduate Training in Public Health

Grants are awarded to schools of public health, nursing or engineering to meet the costs of graduate or specialized training in public health for nurses or engineers and for the purpose of strengthening or expanding public health training in such schools.

Research and Development Programs

Grants and contracts are made with institutions of higher education

Training Grants for Cancer Control

Grants are made to institutions of higher education to cover the cost of training programs in cancer prevention, control and eradication

DHEW - SURPLUS PROPERTY UTILIZATION DIVISION

Surplus Property Utilization Program

Federal surplus property is made available to educational institutions and systems. Public and private institutions are equally eligible.

DHEW - REHABILITATION SERVICES ADMINISTRATION

Research, Demonstration and Training Programs

Grants are made to institutions of higher education for paying part of the cost of projects for research and demonstration in the field of vocational rehabilitation and training of individuals in professional fields which provide services to physically handicapped individuals. The training grants include an amount to enable the institutions to pay stipends to persons in training.

Vocational Rehabilitation Fellowships

Stipends and allowances are paid for study and research relating to vocational rehabilitation.

DHEW - ASSISTANCE PAYMENTS ADMINISTRATION

Project Grants for Maternal and Child Health

Grants are made to institutions of higher education for special projects in the field of services for crippled children and maternal and child health.

Training Grants in Child Welfare and Juvenile Delinquency

Grants are made to institutions of higher education to cover the cost of training programs in the field of child welfare and juvenile delinquency.

DEPARTMENT OF INTERIOR

Research and Development Programs

Grants and contracts are made with insitutions of higher education, both public and private, forresearch and construction of research facilities.

DEPARTMENT OF STATE

Educational Exchange Programs

Grants to individuals, either Americans going abroad or foreign scholars coming to the United States, for teaching, study or research

ATOMIC ENERGY COMMISSION

Equipment, Materials and Services

Grants and loans of laboratory equipment, research reactors, and teaching aids are made to insitutions.

Research and Development Programs

Grants or contracts are made with institutions of higher education for research and construction of research facilities in fields involving atomic energy.

Student Fellowships

Payments are made to individuals to cover tuition and subsistence for study in nuclear science and engineering and for graduate work in the atomic energy aspects of the life sciences.

Training Programs

Summer institutes for teachers and other training programs are offered in various fields relating to atomic energy.

HOUSING AND HOME FINANCE AGENCY

College Housing Loan Program

Loans are made to institutions of higher education offering at least a 2-year program for construction of new or improved housing and other related facilities for students and faculties.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

Research and Development Programs

Grants or contracts are made with institutions of higher education both public and private for research and research facilities in matters within the scope of interest of NASA.

University Training Programs

Grants are made to institutions of higher education to support training programs in fields of interest to the NASA

NATIONAL SCIENCE FOUNDATION

Basic Research Project Support

Support for basic research in the sciences

Institutional Science Programs Support

Grants to assist in the development and improvement of science programs in colleges and universities. Includes institutional basic grants, instructional equipment for undergraduate education, graduate science facilities, and science development grants.

Specialized Research Facilities Grants

Support for equipment and specialized scientific facilities at colleges, universities, and other research institutions

Fellowships and Traineeships

Awards to those working toward advanced degrees in science fields and to scientists and teachers for full-time study or research

Institutes for Science and Mathematics Teachers

Grants for group training activities in science, engineering, and mathematics for teachers at all levels in both public and private schools

Research Participation Grants

For summer opportunities for college and high school teachers

Scientific Activities for Teachers

Support of visiting scientist program: Leading scientists visit college campuses for advice on science programs and to give students opportunities to meet with them. Also supports supplementary training for teachers--conferences, workshops, special courses

Science Education for Undergraduate Students

To provide training opportunities for undergraduate science students through research participation and independent study

Science Education for Secondary School Students

For special courses and research participation opportunities for able students

Specialized Advanced Science Education Projects

Support of advanced science seminars, science exhibits and other educational materials, and experimental projects in science education

Course Content Improvement Grants

Grants to educational institutions and others for modernizing of science and mathematics courses at all levels

VETERANS ADMINISTRATION

Educational Benefits for World War II and Korean Veterans

An education and training allowance is paid directly to the veteran who may use same at an institution of his choice. Small allowances are paid to the institution as reimbursement for making required reports on veterans in attendance.

Vocational Rehabilitation Program

Training is purchased from educational institutions of all types for the rehabilitation of war veterans with service-connected disabilities.

War Orphans Educational Assistance

Payments are made directly to children of wartime veterans who died from a service-incurred disease or injury to help defray the child's tuition and subsistence while attending an institution of higher education or a vocational school below the college level. A small allowance is paid to the institution as reimbursement for preparing and submitting reports.

Automobile Prices

Statement by the President on the Rescission of Price Increases by Manufacturers. August 17, 1971

In announcing that their previously announced price increases for 1972 models would be rescinded, the Nation's automobile manufacturers have acted with a laudable respect for the national interest, and with a high sense of responsibility.

This action demonstrates dramatically a spirit of voluntary cooperation in making the wage-price freeze work. With this spirit, and with all Americans pulling together, we can break the back of inflation and set the Nation securely on the path of a new prosperity.

Disaster Assistance for Maryland

Announcement of Disaster Declaration and Authorization of Federal Assistance for Repair of Damage Caused by Storms and Flooding. August 17, 1971

The President today declared a major disaster for Maryland authorizing the use of Federal funds to supplement State and local resources for relief measures after severe storms and flooding occurred in Baltimore city and six adjacent counties in Maryland. The President acted at the request of Governor Marvin Mandel.

Today's action by the President makes available Federal funds for individual assistance, debris clearance, restoration of publicly-owned sewer and water systems, repair or restoration of roads, streets, and bridges, and other public property damaged by the flooding.

The Office of Emergency Preparedness regional staff in Olney, Md., under Regional Director Robert C. Stevens is coordinating the Federal response and administering the President's funds allocated to this disaster.

Bill To Provide Increased Retirement Benefits to Totally Disabled District of Columbia Policemen and Firemen

The President's Memorandum of Disapproval. August 17, 1971

I am today withholding my approval of H.R. 2600, which would increase the retirement benefits of former members of the District of Columbia Police and Fire departments, the U.S. Park Police, the Executive Protective Service and the U.S. Secret Service who retired prior to October 1, 1956, with service-incurred disabilities rated at 100 percent.

Bills with somewhat similar objectives were vetoed by President Eisenhower in 1959 and by President Kennedy in 1961. This particular bill has been opposed by the D.C. Government in Senate hearings. After reviewing the merits, I am vetoing H.R. 2600 because I believe it is inconsistent with essential standards of fairness and impartiality toward other District Government employees.

H.R. 2600 would grant an unwarranted benefit to a small, special group of retirees. These former employees already receive annuity increases substantially above those of other District employees. Furthermore, under their retirement system, retired D.C. policemen and firemen automatically obtain an increase in annuities proportionate to any increases in the pay of active-duty policemen and firemen. As a result, some of the retirees who would benefit from this bill already receive a larger annuity than the salaries they received when they were on active duty.

H.R. 2600 would not only increase the disparity between the group affected and other District Government employees, but would also create a new disparity within the police and firemen's retirement system by singling out one select group and ignoring other employees who retired prior to October 1, 1956, with less than 100% disability.

I am also seriously concerned that this bill would establish an unfortunate precedent for other retirees under the D.C. Policemen and Firemen's Retirement System, and also for those under other District of Columbia and Federal retirement systems.

All of us can be proud of the outstanding services which the District of Columbia's police and firemen have performed over the years. They deserve a just reward for their work, and today their disability and retirement benefit system is one of the finest and most generous in the country. It would not be in the public interest, however, to create special benefits for a small group of these men which would be unfair to the many other deserving persons in District Government.

RICHARD NIXON

The White House
August 17, 1971

Knights of Columbus

The President's Remarks to the 89th Annual International Meeting of the Knights of Columbus in New York City. August 17, 1971

Supreme Knight John McDevitt, Your Eminence Cardinal Cooke, Mr. Attorney General, Mr. Secretary of

Transportation, all of the distinguished guests on the platform and in this audience:

This is a very special day for me, because to be the first President of the United States to address this States Dinner of the Knights of Columbus is a great honor. I am proud to be that first President.

On this occasion, I must say that to see the signs you held up from the States across the country gave me somewhat the feel of a convention. I did not say which party, because I realize that this is an organization above party. This organization has one party: the United States of America.

I want to associate myself with the remarks of His Eminence Cardinal Cooke. I would like to use this opportunity, speaking from this platform, to pay a tribute to him. I have known him, had the privilege of knowing him, for 20 years. I had the privilege of addressing the Al Smith dinner right here on several occasions, and Cardinal Spellman before him, and now Cardinal Cooke, of course, has been a great religious leader for this diocese and for the United States of America.

But speaking as the President of the United States, and Commander in Chief of our Armed Forces, I think that the work that Cardinal Spellman did Christmas after Christmas, year after year, and that now Cardinal Cooke continues, of going abroad and visiting our Armed Forces, this is something that all Americans are deeply grateful for, and we thank him today for that.

I have been trying to think of something appropriate to say with regard to my good friend John Volpe, the former Governor of Massachusetts. And incidentally, he lost once and won the next time, too. I think perhaps I can put it in a timely fashion by pointing out that in Washington, as you know, these days it is said that it is impossible to keep a secret—the Pentagon papers—in fact, I think the only secret people said has been kept was the announcement of the trip I was going to take to Peking.

There is one other. When I learned that I was going to have the privilege and honor of addressing this dinner, and I had a talk with John Volpe about the organization and everything it meant, he told me everything. The one thing he would not, however, tell me at all was the ceremonial. I said, "Well, John, how do I learn what the ceremonial is?" He said, "Mr. President, you have to join us." Well, I am here in spirit. That is for sure.

I would like to address this organization tonight on America's problems, and particularly one which I addressed myself to just two nights ago. I think you will see how it is related to everything you stand for—a strong and vigorous United States of America.

You will recall that I talked about the competitive spirit of the United States in the economic field when I addressed the Nation on Sunday night. I pointed out then that it was necessary to take bold action to rekindle that spirit in America. I announced a new economic policy with three goals in mind:

First, to generate more jobs, because I believe that everyone who wants to work in America should have the chance to work. In the next 10 years, we must create 20 million new jobs for the American people. We can do it, and our program is designed to do that.

Second, I took action to call a halt in the rise of the cost of living. That is the inevitable legacy of war, one that steals away the life savings of so many of our people, and it has made it impossible for millions of American families to balance their family budgets.

Third, I took action to defend the American dollar against the attack of international speculation. I am determined that the American dollar must never again be hostage to the world's money manipulators.

These are all Government actions. There is a need for these actions, because only by coming to grips with all of our problems can we expect to solve any of them.

And there is a need for bold, decisive action, because a nation can remain great only if it acts with a sure sense of destiny.

As Knights of the Catholic faith, Knights of Columbus, you, as much as anyone in this great Nation, feel that sense of destiny. From the beginning, America has seen its destiny—a call to set an example and to serve mankind, and that is why this Nation from the beginning opened its doors wide. America became the refuge of the world. Catholics came after the Revolution in England in 1688. The French Revolution and the terrible Irish famine of 1846 put immigrants on our shores. Jews from Poland and Russia, refugees from both world wars, Hungarians, Cubans—all sought opportunity and freedom in America and helped this Nation gain its sense of destiny by constantly rekindling the sense of destiny.

Today we live in a time when it is possible for men and nations to break out of the tyranny of the present, to shape our future in the image of our hopes. We live in a time when it is possible for us to pass on to our children something Americans have not had in this century—a full generation of peace. And we live in a time when the free economic system in the United States can produce what we have not had in America for 15 years—a new prosperity with full employment and without war.

Now, these are the highest ideals of America, the highest ideals of any nation. The way to achieve these goals cannot be to throw away our power to defend freedom. We cannot let the apostles of defeatism and self-doubt chip away at the moral strength of America.

We are the number one nation in the world economically. We should stay number one. We cannot ease up and lose the economic leadership of the world. We cannot turn inward and fall prey to a new isolationism, great as the temptations may be to do that. Nor can the American people pass the responsibility of leadership solely to government.

Let's look at our history for a moment. That small nation, 195 years ago, three million people, 13 States, poor, weak, but with a sense of destiny, grown into the most powerful nation in the world militarily, the richest economically, how did it happen?

Well, America has become great not because of what government has done for people, but because of what people have done for themselves and for this country. That is the secret of America's greatness.

And now we have some challenges for America in this time when we are very rich and very strong. It is not easy for a workingman to forgo for a while a wage increase that he deserves, and it is not easy for a businessman to hold the line on prices when his costs are high and profits are slim, and it is not easy for the Federal employee to cover the same amount of work with less personnel because of a cut in spending. It is not easy for investors in stocks—and there are more than 20 million of them in America—to forgo an increase in dividends.

All of these we have asked the American people to do. But I say if the temporary sacrifice of each of these groups in America will result in stopping the rise in the cost of living for all Americans, that is a great goal, and this is worth sacrificing for.

America became a strong nation and a great nation and a rich nation because we have always had a competitive spirit. Twenty-five years ago, at the end of World War II, we were unchallenged in the world, militarily and economically. As far as competition was concerned, there was no one who could possibly challenge us.

But now that has changed. We helped the nations that we defeated in World War II, and those that were our friends, to get back on their feet, and now they are our strong competitors, and there are new nations that have taken their first faltering steps toward being competitors.

We welcome this competition, but we find that as this competition has come along from the other nations of the world, as they have done better—and we welcome their success—that America at times during this period, because we did not have to do so, have curbed our own competitive spirit.

Well, now the time has come to renew it. The time has come to be ourselves again—still compassionate, pouring out our wealth to all of those in need around the world when we can, still with a sense of responsibility toward others in the world, still fair, still ready to help those who need help—but also let us be determined to show what we can do, and let us compete with other nations without having one hand tied behind our back.

The turmoil and uncertainty of the years just past have strained America's spirit—the turmoil and uncertainty of wars. They have led many to question the Nation's purposes and destinies, even its goodness.

We hear this "system," the American system that has made it possible for this great and good country to come where it has, we hear that it has produced our abundance, protected our freedom, and yet it is denounced as oppressive and materialist. We hear our defense establishment in America, which has saved other nations as well as our own from tyranny and conquest, denounced as militarist and evil.

The right to criticize is a right we recognize in this country because it helps us to renew ourselves, it makes us strong, it makes us free. But I say to you tonight, when so many voices are running down America, the time has come for us to speak up for America.

It's easy to sit back and criticize; it's hard to make the sacrifices, do the work, make the extra effort that makes the difference between a nation on the way down and a nation on the way up.

But right at this time, let no one expect to make his fortune—or his reputation—by selling America short.

Tonight I can feel in this audience, and I can feel in this land of ours a new confidence in America, a new birth of faith in ourselves. I see a willingness to face reality, a revival of moral courage, a fresh determination to succeed.

The challenge of peace, the road to the new prosperity will require all the character we have. You and I know that the American people have what it takes, have what it takes to compete.

But when we talk about character of a nation we must never forget that that character depends upon the individual character of 200 million Americans. Where does that come from? It comes from the home. It comes from the churches. It comes from the schools of this Nation. There is where the character of the next generation, the coming generation, is being forged.

We must see to it that our children are provided with the moral and spiritual and religious values so necessary to a great people in great times. And, as Cardinal Cooke has pointed out, at a time we see those private and parochial schools which lay such stress on these religious values, as we see them closing at the rate of one a day, we must resolve to stop that trend and turn it around. You can count on my support to do that.

Every man, even one who serves as President of the United States, relates an issue to what he knows in his own experience. I myself did not have a Catholic education. My secretary did. I was telling Cardinal Cooke and Mr. McDevitt on the way in that in my travels to over 70 countries with Mrs. Nixon, my secretary, of course, Rose Mary Woods, has always gone. There has never been a Sunday in all of those travels, and some of them have taken weeks and months, when she did not go to Mass.

Something else: She is a very fine secretary. But she also has very great character. She grew up in a family of modest income, a large family. She went to a Catholic school, a Catholic grammar school and a Catholic high school. Just looking at my secretary, and I think John Mitchell and John Volpe will bear me out, if that is what Catholic education does, I am for more of it.

Speaking of character, may I put it in another context? The other day, as a football fan, I had one of the greatest experiences of my life. I visited the Hall of Fame in Canton, Ohio. As I went through that Hall of Fame, I relived all the great stories of the football heroes of the past. Ernie Nevers, Bronco Nagurski, and Mel Hein and the others in the Hall of Fame, and, of course, Vince Lombardi. I thought of Vince Lombardi, along with the others that were there. He was enshrined that day I was there.

There were others that were as good a coach as he was. There were others who could play as well as he did, although he was a fine player and a very great coach. But the Lombardi legacy, in my view, is something beyond being a great coach and a great player.

The Lombardi legacy was character. He was a deeply religious man. He was a man who was a fine family man, and he was a man who instilled in all of those who came in contact with him a competitive spirit, a will to win, a will to keep fighting no matter how high or difficult the odds were.

I talked to him on the phone just a few days before he died. I said, "Coach, you have had millions of people rooting for your teams, but there have never been so many rooting for you as there are tonight."

He said, "Well, Mr. President, it is a tough battle, but you can be sure of one thing, I will never quit fighting."

I can say to this great organization that what America needs today is that kind of character, that kind of competitive spirit, so that this Nation can realize its destiny. Our success is not going to mean failure for others. We in our foreign policy do not want to exploit anybody else. We want them to go forward with us.

But the United States of America, at this time in history, must maintain the strength in the free world to provide the help the others aren't able to provide for themselves. That means we must be strong economically and we must be strong militarily. But a nation can be strong in arms and rich in goods and if it is poor in spirit, it will die.

This organization, because you contribute so much to the spirit of America, that is why you, it seems to me, are rendering a service that is so enormously important.

More than 300 years ago, in 1630, Governor Winthrop told the colonists of the Massachusetts Bay Colony, as a little boat was looking at Massachusetts, that "the eyes of all people" were on them. He quoted to them the words of the Bible: "You are the light of the world. A city set upon a hill cannot be hidden."

Think of how presumptuous that was to say then. America, not even settled, a few colonists, just about to arrive, and here he said "You are the light of the world. A city set upon a hill cannot be hidden." That was the spirit that made this country.

Three centuries later, America is like "a city set upon a hill"—strong and rich. The question is: Do we have the character, the richness in spirit, and the strength in spirit that a nation needs. What we do with the challenge of peaceful competition, what we fail to do, will be seen today by the eyes of the world and tomorrow by the eyes of our children.

I ask this great organization, leaders all across all of America, let us join together to awaken the moral power that is the heritage of a hard-working people and, by our example, let America be the light of the world.

NOTE: The President spoke at 9:19 p.m. at the Waldorf-Astoria Hotel, New York, N.Y. As printed above, this item follows the text of the White House press release.

Lincoln Home National Historic Site

The President's Remarks Upon Signing Bill Establishing the Lincoln Home at Springfield, Illinois, as a National Historic Site. August 18, 1971

Governor Ogilvie, Congressman Findley, and our very distinguished guests on this historic occasion:

I am most honored to be here for the purpose of signing a bill which will continue a long tradition of the State of Illinois, the Land of Lincoln, of reminding the American people of this precious heritage. In signing that bill, I would like to pay tribute to all who helped to, first, propose it and then to get it through the Congress, and particularly to Congressman Findley, your Congressman from this area. And to you, Governor Ogilvie, and to all of the people of both parties in this State of Illinois may I express the gratitude of a very grateful nation for what Illinois has done to preserve the Lincoln heritage.

I think, of course, of the Lincoln Tomb. I think of the Lincoln law office. We think, of course, today of the Lincoln Home, the only home, it is said, he really had and that he owned, where he lived for 17 years, where three of his sons were born, and one died. We think, of course, of this chamber, a restoration of the place where Lincoln spoke as a Member of the Illinois Legislature, this chamber where so many years ago, perhaps before his Presidency, his most famous speech was made, the "House Divided" speech, the one which may have led to his nomination, and later his election to the Presidency of the United States.

So the Nation is grateful that the State of Illinois and the people of Illinois, through the years, have done so much to preserve the Lincoln heritage so that hundreds of thousands, millions of people, particularly young Americans, can come here and see where this great man lived, where he worked, and to see, also, the people that he loved, because I think one of the most moving passages of Sandburg's "Life of Lincoln" was his quotation from one of Lincoln's last statements just before he left Springfield to go to Washington when he said, "I love the people here. To them, their kindness, their generosity, I owe everything that I am."

He spoke to them because he had lived among them and I speak to you today as one who knows the people here, who knows this is the heartland of America, not just

NIXON PANEL URGES AID TO NONPUBLIC SCHOOLS

Some form of immediate "public revenue support" for nonpublic schools is recommended in the first interim report of the President's Panel on Nonpublic Education. The panel's recommendations also have the support of its parent body, the President's Commission on School Finance, says Neil H. McElroy, commission chairman. Since the overall commission report is not due until March, the panel has recommended several immediate steps "to arrest the decline of nonpublic schools." The five-member panel, headed by Catholic U. Pres. Clarence Walton, feels something must be done at once because, in Walton's words, the nonpublic school crisis "has worsened to a point where the very existence of quality education in the nonpublic sector is in jeopardy."

The panel's recommendations draw on existing or proposed school legislation. The panel recommends: vigorous federal enforcement of regulations that require the use of Elementary and Secondary Education Act funds for nonpublic school pupils; guarantees of continued federal aid for nonpublic school pupils in all proposals for consolidating federal education programs; participation of nonpublic schools in the pending Emergency School Aid legislation to help schools desegregate; emphasis on cooperative programs between public and nonpublic schools in plans for the National Institute of Education; creation in the U.S. Office of Education of a "structure" to deal directly with nonpublic schools; and Administration participation in a Washington, D.C., conference on the nonpublic school crisis. The panel's report was sent to the White House on Feb. 12, but it was not released until last week.

▷ Rep. John Brademas, D-Ind., has called for swift implementation of the Environmental Education Act passed by Congress last year. Brademas noted that Nixon Administration witnesses originally opposed the act and, after Congress approved the measure, opposed appropriations for it. Since the bill's enactment, the Administration has failed to name an advisory council or a permanent director of environmental education programs, failed to create an Office of Environmental Education and closed the Public Broadcasting Environmental Center, Brademas said. Despite these obstacles, about 40 grants, totalling $1.7 million, will be made to educational organizations and nonprofit agencies during the coming year. Applications for the grants are due by May 26 at the U.S. Office of Education's Office of Priority Management.

▷ The Supreme Court has affirmed a lower court ruling that declared New York's antibusing law unconstitutional. The law had made it illegal to reassign pupils to achieve racial balance and also prohibited rezoning school districts for racial purposes. The high court's decision is consistent with its April 20 ruling that busing is necessary as a means to "dismantle the dual school systems" of the South.

▷ NAMES IN THE NEWS: Robert P. Hanrahan, 37, recently defeated superintendent of schools in Cook County, Ill., has been nominated to be the regional commissioner of education for HEW's Region V, located in Chicago. Ray Page, former state superintendent of education in Illinois, had been nominated for the Region V post, but he asked that his name be withdrawn. He has now been nominated to be assistant regional administrator in the U.S. Environmental Protection Agency. • Irwin E. Kirk, 39, executive officer in the Bureau of Elementary and Secondary Education, U.S. Office of Education (USOE), has been designated USOE's acting assistant commissioner for administration. Kirk replaces Leon M. Schwartz, who has accepted a position with the National Science Foundation. • Gilbert J. Chavez, 39, has been named director of USOE's Office for Spanish Speaking Affairs. He was formerly deputy to USOE's equal employment officer.

WASHINGTON MONITOR, Supplement to EDUCATION U.S.A., the Weekly Newsletter on Education Affairs, published each Monday, September through May, by the National School Public Relations Association, 1201 16th St., N.W., Washington, D.C. 20036. Two summer issues, July and August.

The President's Commission
on
School Finance

Interim Report of the
President's Panel on Nonpublic Education
February 12, 1971

President's Commission on School Finance

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David H. Kurtzman
William E. McManus
Wendell H. Pierce
William G. Saltonstall
W. B. Thompson
Clarence Walton
Ivan E. Zylstra

EXECUTIVE DIRECTOR
Norman Karsh

February 12, 1971

The President
The White House
Washington, D.C.

Dear Mr. President:

I am forwarding herewith an Interim Report of the Panel on Nonpublic Education, established by you as a part of your Commission on School Finance. The Commission is in general agreement with the recommendations contained therein.

An interim report of the total Commission dealing with all the considerations cited in your Executive Order No. 11513 of March 3, 1970, including the nonpublic school area, is currently being prepared and will be forwarded to your office in approximately one month. The Panel's report is being forwarded now, in view of the desire of your office to receive at the earliest practical date an interim report regarding our consideration of the problems relative to the nonpublic schools.

In view of the fact that the problems of the nonpublic schools are currently being studied in the overall context of public plus nonpublic school finance, it is premature to present to you, at this time, the results of our complete evaluation of the problems relative to nonpublic schools. This will be incorporated in our final report to be submitted by March 3, 1972.

Respectfully submitted,

Neil McElroy

President's Commission on School Finance

1016 Sixteenth Street, N.W.
Washington, D.C. 20036
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February 12, 1971

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EXECUTIVE DIRECTOR
Norman Karsh

The President
The White House
Washington, D. C.

Dear Mr. President:

Your creation last March of a President's Panel on Nonpublic Education was both historic and unprecedented.

It was historic because its formation was tacit recognition of the fact that while many studies of American schools have been commissioned, the focus, invariably, was on the public face of the education coin; hence you established a small group with a mandate to examine the special strengths and weaknesses, the special needs and problems of schools in the private sector and to bring solid information and constructive recommendations for the consideration of your Administration and for all thoughtful Americans.

Equally noteworthy is the manner in which you asked the Panel to perform its duties. By requesting it to work with and within the full sixteen-member Commission on School Finance (announced shortly after the Panel), you sought to assure a comprehensive study by the Commission which would take into full account the delicate and sensitive balance--as well as the growing interdependence--of public and nonpublic educational systems. Diversity of education within the Constitution is the stated goal.

Your action was unprecedented because, for the first time in the country's history, a national Administration unequivocally committed itself to the value of a viable pluralistic educational system where the nonpublic schools were seen as "an integral part of the nation's educational establishment." In short, the Administration viewed the continued dynamic and healthy existence of nonpublic schools as being in the public interest.

Since its creation, Mr. President, the Panel members have met in plenary day-long sessions at least once monthly on the average, and individual members have given many more working days to study and to interviews in order to discharge their obligations. They have helped to delineate major problem areas which require intensive in depth study by the Commission.

However, even without benefit of extended and intensive research, it is clear that the crisis alluded to in your 1970 Message to Congress has worsened to a point where the very existence of quality education in the nonpublic sector is in jeopardy. Our preliminary findings forcefully reinforce your deep concern over the seriousness of the situation when you said: "This government cannot be indifferent to the potential collapse of such (nonpublic) schools."

The Panel feels it can now identify certain of these symptoms and problems which, if unchecked, will hasten a collapse whose consequences will adversely affect the public interest. It further feels it can offer interim recommendations which can more effectively utilize existing school legislation and enrich certain proposals under current review by your Administration.

These problems and these recommendations form the substance of this first interim report which I have the honor to submit to you on behalf of my colleagues on the President's Panel on Nonpublic Education.

Sincerely,

Clarence C. Walton

Clarence C. Walton, Chairman

Members of the Panel on Nonpublic Education
William E. McManus
William G. Saltonstall
Clarence C. Walton
Ivan E. Zylstra

THE PRESIDENT'S PANEL
ON
NONPUBLIC EDUCATION

FIRST REPORT

February 12, 1971

INTRODUCTION

Asserting the need for diversity in education in the United States, President Richard Nixon established on April 21, 1970, a Panel on Nonpublic Education under the chairmanship of Clarence C. Walton. The other panelists are William E. McManus, Willian G. Saltonstall and Ivan E. Zylstra. The four were also named to the sixteen-member Commission on School Finance whose membership was announced subsequently.

During early summer, the Panel prepared a prospectus for a national study of public policy toward nonpublic schools (defined herein as those which are operated on a nonprofit basis and which comply with Title VI of the Civil Rights Act of 1964 - Public Law 88-352). This prospectus was promptly made available to the Commission's staff. On October 31, 1970, the Commission approved the following four major studies of nonpublic schools:

1. Identification and review of the economic and social benefits accruing to the nation from the operation of nonpublic schools;
2. Analysis of the potential for new forms of cooperation between public and nonpublic schools;
3. An analysis of the various forms of public aid to nonpublic schools and the rules of law which apply;
4. A review of the finanical status of nonpublic schools, including:
    a. their enrollment and financial trends;
    b. causes of these trends;
    c. the probable effect on public school systems from the closing of nonpublic schools;
    d. an analysis of parental motivations in the exercise of educational choice.

Working with and within the Commission, the Panel is presently seeking to mobilize nonpublic school resources to assist in the prompt and thorough completion of these important studies.

THE PANEL'S SPECIAL RESPONSIBILITIES

In the April message establishing the Panel, the President explicitly charged it to do three things:

1. to study and to evaluate the problems confronting nonpublic schools;
2. to report the nature of the crisis confronting nonpublic schools;
3. to make positive recommendations to the President for action which will be in the interest of our entire national education system.

The Presidential message also noted that "while the Panel deliberates, nonpublic schools are closing at the rate of one a day."

Certain inferences may be drawn. The first is awareness of the need for prompt response to the President's request for positive recommendations to deal with the uniquely critical financial problems facing the nation's nonpublic schools. The second inference is that the Panel may be expected to look into such nonfinancial issues as morale, deployment of personnel between inner-city and suburban needs, the extent of the commitment by sponsors and by parents to nonpublic schools, the nature of curricular concerns with the moral dimensions of the human personality, the impact of new theological currents and related matters.

BASIC PREMISES

The Panel supports unqualifiedly President Nixon's clearly stated position on the role of nonpublic elementary and secondary schools in American education. The President set the parameters when he said:

> "The nonpublic elementary and secondary schools in the United States have long been an integral part of the nation's educational establishment. They supplement in an important way the main task of our public school system. They provide a diversity which our educational system would otherwise lack. They give a spur of competition to the public school through which educational innovations come, both systems benefit, and progress results."
>
> "Should any single school system--public or private--ever acquire a complete monopoly over the education of our children, the result would neither be good for that school system nor good for the country. The nonpublic schools also give parents the opportunity to send children to a school of their own choice and of their own religious denominations. They offer a wider range of possibilities for educational experimentation and special opportunities, especially for Spanish-speaking Americans and Black Americans.
>
> "There is an equally important consideration: these schools -- nonsectarian, Catholic, Jewish, Protestant, and other -- often add a dimension of spiritual value to education affirming in children a moral code by which to live. No government can be indifferent to the potential collapse of such schools."

4

THE IMMEDIATE PROBLEMS

Nonpublic schools confront an interlocking set of problems, each of which may have varying impacts in different local situations. Generalizations which hold true in equal manner on often quite diverse constituencies are difficult to propose with certitude; however in the obvious malaise the following five problems are critical:

Rising Operating Costs
Shrinking Support Base
Redeployment of Resources
Declining Enrollments
Sagging Confidence

1. Rising Operating Costs are due to inflation, increased teachers' salaries, improved quality of instruction, reduced class sizes, retirements, health insurance and other fringe benefits.

2. Shrinking Support Base is attributable to inflation, rising unemployment, new and competing demands by charities for the donor's dollars, rising taxes -- notably levies for public education at all levels. A profile of a family with children in a nonpublic school reveals a breadwinner facing what looks to him as "triple" levying by (a) governments, in the tax bite, (b) by

his church or synagogue in the form of tithings, and (c) by school officials in the form of tuitions -- and all for the same purpose: education.

3. Redeployment of Resources is occasioned by major commitments to inner city schools and other low or middle-income neighborhoods even as suburban areas are often asked to forgo new school construction. Parents whose own children are not served are in effect asked to help youngsters from poorer families in other parts of the city. The effort is laudable and should be continued but its continuance is precarious in view of pressures noted above.

4. Declining Enrollments in some well-established schools with long histories of academic achievement are related to nagging uncertainty over these schools' financial solvency and their capacity to continue to offer quality education and a distinctive curriculum.

5. Sagging Confidence occurs among these three critical groups: (1) sponsors of private schools who see no end to cost pressures; (2) parents who speculate on whether their school will even open next year

to serve their children; and (3) among teachers who increasingly wonder if theirs is a "lost cause" because of public indifference to their contributions.

Immediate pressures to balance budgets are scarcely conducive to innovation; possibilities of bankruptcy are ill designed to attract and hold excellent teachers. Conflicting court decisions in cases involving aid to nonpublic pupils generate doubt over the government's willingness or constitutional capacity to assist in this hour of crisis.

Despairing sponsors are not creative ones!
Despirited teachers are not stimulating ones!
Confused parents are not committed ones!
It is the child who suffers.

THE CRISIS

The year 1965 was a watershed in the history of nonpublic education because it climaxed nearly a quarter century of steadily rising enrollments. In 1966 the pattern shifted and with the change came important implications for the nation at large.

While many church sponsored or church affiliated schools experienced enrollment reversals in 1966, the impact was first (as early as 1964) and most dramatically felt by Catholic schools which, over the years, had enrolled the largest portion of nonpublic students. Since the Fall of 1964 the downward trend has continued each year in Catholic schools with the result that decreases in the five-year period between 1964-65 and 1969-70 have been about 950,000 students -- a drop of nearly 20 percent. If this pattern persists, 1980 enrollments in Catholic schools could be only one-half of its 1964 total.

It was also in 1966 that schools sponsored by or affiliated with the Baptist, Methodist, Presbyterian and Seven-Day Adventist experienced their first declines; others, like the National Union of Christian Schools and Lutherans, witnessed slight enrollment rises but most recent indications reveal that they, too, are undergoing reversals.

While the Hebrew Day Schools have been a happy exception among so-called "church" schools, testimony heard by the Panel suggests that difficulties are mounting for these enterprises as well.

The members of the National Association of Independent Schools have not yet suffered general enrollment losses. However, many of the day schools are experiencing a leveling off of demand which may foreshadow a period of still lower enrollment with resulting financial difficulties in all but the wealthiest of these institutions.

While the opening of special academies in some states accounts for a small enrollment increase in the nonsectarian sector, it is a safe generalization to say that virtually all nonpublic schools may be priced out of business as they continue to raise tuitions and fees beyond the capacity of all except the highest income families.

In the light of such trends, what are the probable consequences that the American people must consider? The Panel identifies the following:

1. Parental Choice in their children's education will erode as nonpublic schools vanish in large numbers. Choice is a right; its exercise depends on the availability of diverse educational systems.

2. Educational Diversity will be submerged into educational uniformity which can breed a bland conformity in curricula, teaching methods, teacher incentives, and the like.

3. Creative Competition between public and nonpublic schools will decline, rather than being fostered.

4. Moral and Spiritual Values will receive less attention. Even if "information" content in education improves, the "formation" content will likely decline. It is worth recalling that in 1776 Thomas Paine wrote in Common Sense that "when we are planning for posterity, we ought to remember that virtue is not hereditary."

5. The Urban Disadvantaged will lose the services of many dedicated teachers whose commitment to them remains firm within present institutional arrangements but who may be driven from their posts as the resource base erodes.

6. *Ethnic Groups* in urban areas will be deprived of schools which have served the community as stabilizing agents and enculturating institutions.

7. *Taxes Will Rise* to defray costs for capital investment and for instruction. What is crucial here is taxpayer reaction among those who feel deprived of choice.

When nonpublic schools can operate with balanced budgets, they will begin to shore up the morale of their faculty and sponsors; they will continue to introduce innovative programs which can attract new students. This Panel senses that many parents will continue to commit their children, themselves, and their money in nonpublic schools so long as their continuance as first-rate educational institutions appears likely. These parents, encouraged by equality accorded to nonpublic pupils under Federal and State laws, may lend support for larger expenditures of tax funds to sustain excellent public schools.

While the Panel is aware that money alone will solve neither the nonpublic nor public school crisis, it is convinced that some measure of public revenue support for nonpublic pupils is urgently needed to supplement the existing private investment.

It is in response to the charge given the Panel in the Presidential statement establishing it that the following interim recommendations are offered. It is to be noted that all of these recommendations fall within existing legislation or program proposals under current review by your Administration. They are, nevertheless, the kinds of recommendations which, if promptly implemented will serve to arrest the decline of nonpublic schools. Such action is necessary if the ultimate recommendations of this Panel and those of the School Finance Commission in the nonpublic school area are to be brought to bear on a still vital part of the nation's educational system.

INTERIM RECOMMENDATIONS

1. Existing legislation and regulations authorizing and requiring Federal aid for the benefit of nonpublic school pupils, notably those who are eligible under the Elementary and Secondary Education Act of 1965, should be vigorously enforced by Federal agencies.
2. Proposals for consolidation of existing federal aid to education programs should include guarantees that all currently eligible nonpublic school pupils will continue to participate.
3. The equity for nonpublic schools and their pupils in the House version of the Emergency Education Act of 1970, but absent in the Senate bill of the 91st Congress, should be incorporated into the final legislation enacted by Congress and submitted to the President for his signature. The Panel deems it imperative that nonpublic schools participate in these emergency programs to stabilize racial integration and to open up opportunities for future integration.
4. Plans for the National Institute of Education should include appropriate representation from the nonpublic sector on the National Advisory Council and should set priorities for research on the ways public and nonpublic schools may cooperate in the development of improved and innovative educational techniques.

5. Plans for a reorganized Office of Education should include provision for creation of a structure to deal directly with nonpublic schools and to make effective recommendations to top officials in the Department of Health, Education and Welfare.
6. The Administration is requested to participate in a Washington Conference to review the nonpublic school crisis in all its dimensions. The Panel on Nonpublic Education stands ready to assist in planning such a conference.

In summary, the Panel, conscious of your Administration's commitment to a viable pluralistic educational system as being in the public interest, has sought in this report to respond constructively in ways that will allow for the future fulfillment of that commitment.

Respectfully submitted,

Clarence C. Walton, Chairman
William E. McManus
William G. Saltonstall
Ivan E. Zylstra

EDUCATION FOR THE 1970's

RENEWAL AND REFORM

Messages to the Congress

By

Richard Nixon

President of the United States

March 1970

The President's Commission on School Finance

I am today signing an Executive Order establishing a President's Commission on School Finance, to be in existence for 2 years, reporting to the President periodically on future revenue needs and fiscal priorities for public and non-public schools.

(a) **From Quantity to Quality.** Over the past 20 years the public schools have experienced the greatest expansion in their history. Enrollments increased by 80%—from 25 million to 45 million pupils—in those 2 decades.

But now the period of steep enrollment growth in the schools is over: The birthrate has been declining for about 10 years and the number of pupils in the public schools is expected to rise only slightly in the decade ahead. This means that the schools, no longer faced with a problem of sharply increasing numbers, will now be able to concentrate on finding improved educational methods. They can now shift their emphasis from quantity to quality.

(b) **Future Financial Needs.** Despite this leveling-off of enrollments, additional resources will be necessary, particularly if the present rate of growth in **per pupil** expenditures continues. Yet, because we have neglected to plan how we will deal with school finance, we have great instability and uncertainty in the financial structure of education.

(c) **Disparity Among Districts and States.** The continuing of narrowing gap in educational expenditures between rich and poor States and rich and poor school districts is cause for national concern. Differences in dollars per pupil are not in themselves wrong; in a democracy, communities should have the right to provide extra support to their schools if they wish. But some areas with a low tax base find it difficult or impossible to provide adequate support to their schools, a problem that crosses State lines in an era of mobility—when the poorly taught of one area frequently become unemployed adults elsewhere.

The need is apparent for a central body to study the different approaches being pioneered by States and local districts, and to disseminate the information about successes achieved and problems encountered at the local level.

(d) **Sources of Funds for Education.** State support accounts for 38% of school revenues, Federal support for about 8%, with 54% of the burden carried locally. Of the local funds, almost all come from property taxes, but that tax base is not keeping up with educational expenditures. A major review of the tax resources and needs of education is in order.

The best method of providing direct Federal monetary aid to education, and the one most consistent with local control of education, is through the system of revenue sharing which I proposed to the Congress in August. Much of the tax revenue which the Federal government would return to the States will probably be used where two-fifths of State and local funds now go—to the schools. Revenue sharing proposals which would total five billion dollars annually by 1975 will help States and localities meet their educational and other needs in the way that ensures the most diversity and the most responsiveness to local need—without Federal domination.

A related and important reform is urgently needed in the present program of grants to schools in Federally-impacted areas. As presently constituted, this program neither assists States to determine their own education expenditures nor re-directs funds to the individual districts in greatest need. That is why, in the Federal Economy Act submitted to the Congress last week, I called for a thoroughgoing reform of this program. The President's Commission on School Finance will examine the combined effects of this reform, the potential of revenue sharing for educational finance, and the impact of savings accruing to states under the proposed Family Assistance Program, and will assist State and Federal agencies to plan effectively for these important changes.

(e) **Possible Efficiencies.** Many public and non-public school systems make inefficient use of their facilities and staff. The 9-month school year may have been justified when most youngsters helped in the fields during the summer months, but it is doubtful whether many communities can any longer afford to let expensive facilities sit idle for one-quarter of the year.

Thousands of small school districts—some without schools—continue to exist, resulting in inequities in both finance and education. On the other hand, some of our large city school systems have become too large, too bureaucratic, and insensitive to varying educational needs.

The present system of Federal grants frequently creates inefficiency. There are now about 40 different Federal categorical grant programs in elementary and secondary education. This system of carving up Federal aid to education into a series of distinct programs may have adverse educational effects. Federal "pieces" do not add up to the whole of education and they may distract the attention of educators away from the big picture and into a constant scramble for special purpose grants. Partly for this reason, I will continue to recommend to the Congress plans for consolidation of grants into packages that are truly useful to States and localities receiving them. This would place much more administrative control of these Federal funds in local hands, removing red tape and providing flexibility.

(f) Non-Public Schools. The non-public elementary and secondary schools in the United States have long been an integral part of the nation's educational establishment—supplementing in an important way the main task of our public school system. The non-public schools provide a diversity which our educational system would otherwise lack. They also give a spur of competition to the public schools—through which educational innovations come, both systems benefit, and progress results.

Should any single school system—public or private—ever acquire a complete monopoly over the education of our children, the absence of competition would neither be good for that school system nor good for the country. The non-public schools also give parents the opportunity to send their children to a school of their own choice, and of their own religious denomination. They offer a wider range of possibilities for education experimentation and special opportunities for minorities, especially Spanish-speaking Americans and black Americans.

Up to now, we have failed to consider the consequences of declining enrollments in private elementary and secondary schools, most of them church supported, which educate 11% of all pupils—close to 6 million school children. In the past 2 years, close to a thousand non-public elementary and secondary schools closed and most of their displaced students enrolled in local public schools.

If most or all private schools were to close or turn public, the added burden on public funds by the end of the 1970s would exceed $4 billion per year in operations, with an estimated $5 billion more needed for facilities.

There is another equally important consideration: these schools—non-sectarian, Catholic, Protestant, Jewish and other—often add a dimension of spiritual value giving children a moral code by which to live. This government cannot be indifferent to the potential collapse of such schools.

The specific problem of parochial schools is to be a particular assignment of the Commission.

In its deliberations, I urge the commission to keep two considerations in mind. First, our purpose here is not to aid religion in particular but to promote diversity in education; second, that non-public schools in America are closing at the rate of one a day.

Early Learning

In the development of the mind, child's play is serious business. One of my first initiatives upon taking office was to commit this Administration to an expansion of opportunities during the First Five Years of Life. That commitment was based on new scientific knowledge about the development of intelligence—that as much of that development takes place in the first 5 years as in the next 13.

We have established a new Office of Child Development in the Department of Health, Education, and Welfare. I am now directing that Department and the Office of Economic Opportunity jointly to establish a network of experimental centers to discover what works best in early childhood education.

An experimental program of this nature is necessary as we expand our child development programs. The Early Learning Program will also provide us with a strong experimental base on which to build the new day care program, involving $386 million in its first full year of operation, which I have proposed as part of the Family Assistance Plan.

The experimental units of the Early Learning Program, working with the National Institute of Education, will study a number of provocative questions raised in recent years by educators and scientists:

—A study of language and number competence between lower- and middle-class children shows a significant difference by the time a child is 4 years old, but the difference is said to become "awesome" by the time the child enters first grade. If this is so, what effect should it have on our approach to compensatory education in the early years?

—A study of poor children in Washington, D.C., conducted by the National Institute of Mental Health, indicates a decline in I.Q.s of infants between the ages of 14 and 21 months—a decline that can be forestalled by skillful tutoring during their second year. If this is true, how should it affect our approach to the education of the very young?

—Many child development experts believe that the best opportunity for improving the education of infants under the age of three lies not in institutional centers but at home, and through working with their mothers. What might we do, therefore, to communicate to young women and mothers—especially to those in or near poverty—the latest information on effective child development techniques with specific suggestions about its application at home?

* * *

The Future of Learning in America

The tone of this message, and the approach of this Administration, is intended to be challenging. America's educators have the capacity and dedication to respond to that challenge.

[From the Evening Star, Washington, D.C., Sept. 5, 1971]

MARLAND SEES AID OUTSIDE CASH FOR NONPUBLIC SCHOOLS

Education Commissioner Sidney P. Marland Jr. says federal and local governments are not doing all they should under the law to help bail out financially ailing nonpublic schools.

Marland said there are various ways of giving assistance to private and parochial schools outside direct money grants, and added this was what President Nixon meant when he told a Knights of Columbus convention in New York on Aug. 17 that he could be counted on for help.

In an interview, Marland said he is calling a three-day meeting here in November to try to get local public and nonpublic school officials together on the problem.

HAILS COURT RULING

Marland also said the recent ruling of the California Supreme Court against using local property taxes as the financial base for education will be a breakthrough in improving education for disadvantaged children.

Here are questions and answers from the interview:

Q. Recently before the Knights of Columbus in New York, President Nixon said he supported the idea of help for parochial and private schools and said he could be counted on for help. Was the Office of Education prepared for such a pledge, and have you any plans in the works for bailing out these financially troubled private schools?

A. The Office of Education had been committed to this subject by legislation and by earlier presidential leadership before he made that address, so that this is quite consistent with what we are doing; we'll just try harder to do it. These are the things that we're doing.

For one thing I will be convening a meeting of leading educators from the 42 largest cities drawing together the principal diocesan school official, generally a priest or bishop, together with the principal public school official, generally the superintendent of schools, at a meeting here in Washington in mid-November. It would include other private schools and it would include other religious private schools, such as Lutheran or Episcopal schools.

PURPOSE OF MEETING

It will be the purpose of that meeting to find ways that we can bring closer together the resources of the public schools to assist the nonpublic schools in ways that are compatible with the law. And we know that the Supreme Court ruled this spring that the public funds were inappropriate for expenditure in the nonpublic schools. This is clear. That's no longer an issue. But there are opportunities within the Elementary and Secondary Aid to Education Act for us to provide very real assistance to the nonpublic schools.

For example, under Title I of ESEA, there is a prescription quite clear in the law that the children of a nonpublic school system are equally eligible for the services of education—not money, not direct dollars, but the services of education—aimed toward the disadvantaged, consistent with those very same services aimed toward the public school child who is disadvantaged.

LENDING OF BOOKS

For example, let us say that in an elementary school of the public school system a child attends a school where a new counselor for elementary children and parents has been added under Title I at a cost of X dollars for that school. To the extent that there are other children in a nonpublic school with the same degree of disadvantage, that school should have the services of that same kind of counselor. Now this has not been true throughout the United States to the degree that the law prescribes. We are pushing it in this office; that's partly the reason for convening this group in the fall.

Now, on another side of this, however, another title of that act provides for the lending of books to nonpublic schools, books not related to religion. This is working very well, and at almost 100 percent effectiveness we are delivering books to the nonpublic school system for loan.

And another subject, Title III of that act, which has to do with reform and renewal and discovering new processes at the local level, there again that's working pretty well. Nonpublic school and public school people are working together to solve it. Now we must all work harder at it; but those are the contexts in which the President was asking for more effort to get together and help the nonpublic school problem.

Q. You are interpreting his statement then as referring to services and goods rather than direct money grants.

A. Yes, I'm sure he means that, because under the law this is the only way that we can provide assistance.

Q. The California Supreme Court ruling that school financing based on the local property tax is unconstitutional is being regarded generally as one of the most significant events in education in recent times. How do you assess the impact and significance of this decision?

A. Yes. I agree that it is a very substantial decision as it relates to education. Its impact on education would have these kinds of results, as I see it: if it is sustained by the Supreme Court, first, I'm sure there would be an explosion of corresponding suits throughout the land and that the very same issues as cited in the California case would be found broadly true throughout other states.

The outcome of this would be presumably that a state like California and possibly any other state so affected would have to completely reform its system of equity, its system of equalization of federal resources as they relate to education.

One of the basic issues here is the failure to recognize municipal overburden. It takes two-thirds of the money that a community can raise to run a big city, leaving one-third left over for its school obligations. Almost the exact reverse is true in a comfortable suburb. You can run the suburb on one-third of the typical revenue that the community can raise and two-thirds are left over for the purposes of education. And the inequity there is compounded by the fact that you have much higher cost to conduct the schools for children in the big city, especially were there are disadvantaged and minority children. So, you have the multiplier effect of a larger need, lower resources, municipal overburden and a state formula that fails to respond to that. So it's a very serious problem and this is probably, therefore, a breakthrough.

Q. Do you see any role for the federal government in the financial end of it?

A. Not at this stage.

[From the New York Times, Aug. 18, 1971]

NIXON VOWS TO HELP PAROCHIAL SCHOOLS; CARDINAL CALLS GOVERNMENT AID A RIGHT

President Nixon told an enthusiastic audience of Roman Catholics here last night that they could count on his help in efforts to reverse the current trend toward the closing of financially troubled parochial schools.

"We must see to it that our children are provided with the moral and spiritual and religious values so necessary to a great people in great times," he declared.

At a time when private and parochial schools are closing "at the rate of one a day," the President said, "we must resolve to stop that trend and turn it around—and you can count on my support to do that."

This remark drew a standing ovation from the 1,500 people attending the States Dinner of the 89th annual meeting of the Supreme Council of the Knights of Columbus in the grand ballroom of the Waldorf-Astoria Hotel.

Earlier in the program Cardinal Cooke charged that the denial of government aid to parochial schools was "unreasonable and discriminatory" and deprived the parents of Constitutional rights.

The Cardinal's speech, which Mr. Nixon heard and which was interrupted by applause, was the first major response by a high-ranking member of the American Roman Catholic hierarchy to the recent Supreme Court decision on aid to parochial schools.

On June 28 the Court ruled 8 to 1 that state programs that reimbursed Catholic and other parochial elementary and high schools for instruction in non-religious subjects were unconstitutional.

In his address, Cardinal Cooke said he was convinced that "despite the recent Supreme Court decision, practical means can be found, and will be found, to assist the parents of nonpublic school children."

"As Catholic citizens of these United States, we call upon our fellow Americans for justice," he declared. "We call upon them not only for our Constitutional rights but also for the governmental support which will enable our parents to exercise those rights."

The President arrived at the dinner of the 1.2 million-member Catholic fraternal and charitable order shortly before Cardinal Cooke began his 25-minute address.

[From the Washington Monitor, Sept. 13, 1971]

How can the federal government and public schools legally give more aid to nonpublic schools? Answers to this question will be sought at a Nov. 15–17 meeting of nonpublic and public school leaders in Washington, D.C. Sponsored by USOE, the meeting will search for ways to help fulfill Pres. Nixon's promise of providing more federal aid to nonpublic schools. U.S. Comr. of Education Sidney P. Marland, in announcing the meeting, said additional aid could probably come through the Elementary and Secondary Education Act (ESEA). He cited provisions in Title I, ESEA, that provide services—"not money, not direct dollars, but the services of education." Other provisions in ESEA were also noted as additional avenues for increased aid to nonpublic schools—the lending of books and the financing of innovative, reform programs.

[From the Washington Post, Nov. 16, 1971]

CATHOLIC BISHOPS BACK TAX CREDIT PLAN

(By William R. MacKaye)

The nation's Roman Catholic bishops yesterday endorsed a plan for a major drive to win federal financial assistance for Catholic schools through a system of income tax credits.

The plan, described to the bishops by Auxiliary Bishop William E. McManus of Chicago, would involve legislation enabling any taxpayer to deduct from his federal income tax payment half of his expenditures for school tuition and textbooks.

Bishop McManus, who is superintendent of Catholic schools in the archdiocese of Chicago and chairman of the bishops' department of education, told the bishops he believes that the tax credit proposal—because it aids the parent rather than the school—will meet the restrictions laid down by the U.S. Supreme court.

Earlier this year the high court ruled that Pennsylvania and Rhode Island laws providing direct state tax subsidies to church schools for the teaching of non-religious subjects violated the constitution on church-state separation.

Catholic sources said that a bill amending federal tax law to permit the tax-credit system described by Bishop McManus was already drawn up and would be introduced in the House of Representatives shortly by Rep. Roman C. Pucinski (D-Ill.). Pucinski could not be reached for comment.

The new Catholic drive for tax aid comes at a time when church leaders feel themselves under steadily increasing pressure from falling enrollments and rising costs of operating their schools.

In yesterday's discussion one prelate, Bishop Clarence E. Elwell of Columbus, Ohio, declared that tuition levels in some areas were now so high that "even the rich cannot afford Catholic schools."

In addition to endorsing the campaign for tax credit legislation, a strategy devised over the past three months by an ad hoc committee that Bishop McManus headed, the bishops also unanimously approved a statement declaring that parents of private school students have a constitutional right to tax aid.

"Today the effects of taxation, inflation and rising governmental cost make it increasingly impossible for parents to exercise their constitutional freedoms in education without enabling assistance," they said.

" . . . In order to exercise this right today, parents need and are entitled to a measure of economic help—a share of the tax dollars they pay."

Federal education officials, meantime, are meeting this week at a conference center in Warrenton, Va., with big city public and parochial school officials. That session is seen as a preliminary exploration by Nixon administration representatives of how they might implement the President's promise of federal assistance for Catholic schools.

In other business during the opening day of their regular autumn meeting here the bishops also overwhelmingly voted down a proposal that might have simplified pulpit exchanges bewteen Catholic and non-Catholic clergy.

Their 152 to 81 rejection of a committee recommendation followed a spirited debate in which Auxiliary Bishop John J. Boardman of Brooklyn warned that eased restrictions would open "the possibility of having heretics preach in our pulpits."

Six other bishops, including John Cardinal Carberry of St. Louis, also spoke against the recommendation to the bishops' committee on ecumenical and interreligious affairs that the Vatican be asked to re-examine its guidelines permitting limited pulpit exchanges.

[From the Washington Post, Nov. 18, 1971]

SCHOOL CHIEF OPPOSES PAROCHIAL TAX CREDITS

(By Peter Milius, Washington Post Staff Writer)

U.S. Commissioner of Education Sidney P. Marland Jr. said yesterday that "at this stage" he would oppose the use of federal tax credits to support Catholic and other non-public schools.

His cautious remarks put him promptly at odds with the nation's Roman Catholic bishops, who announced on Monday that they intend to fight for such tax credits as a way of shoring up their shrinking school systems.

President Nixon several times has expressed support for Catholic and other private schools, mostly recently in a speech in August before the Knights of Columbus in New York. The Supreme Court had then just struck down direct state aid for secular instruction in sectarian schools as a violation of the First Amendment.

The President told the applauding Knights that Catholic schools still were "closing at the rate of one a day," that "we must resolve to stop that trend," and "you can count my support to do that."

Yesterday, however, Marland said in response to a question at his press conference that "the federal government has only a limited range in which to work in terms of helping non-public schools," and added that in his judgment "family tuition" would continue to be these schools' main source of support.

The press conference was called to describe a meeting of public and Catholic school superintendents from the nation's 40 largest cities, held Monday and Tuesday in Warrenton, Va., under Office of Education sponsorship. The meeting, the Office of Education said, "was designed to explore ways of implementing President Nixon's pledge to assist non-public schools in obtaining all the federal aid legally possible."

Marland called it "a first important step," said it will lead to closer cooperation between public and private systems, and predicted that "there will be increased (public) services" to private school pupils as a result.

Yet he also spoke of "the great danger of creating over-expectations," and stressed that the federal share of the nation's elementary and secondary school costs is "still a modest one." Federal funds now pay only about 7 per cent of public school costs, state funds about 41 percent, and local funds the rest.

Under current law, federal funds do reach Catholic school children, but only in limited amounts and indirectly. Technically, at least, the money does not go as open aid to Catholic schools. Instead, under a roundabout arrangement known as the "child benefit theory," it provides certain specified services—buys some textbooks, for example, or pays for some compensatory education—for Catholic children.

Maryland, asked about tax credits—whereby parents could deduct part of their children's tuition from their federal income taxes—said that a definitive answer "should await the President's Commission on School Finance," which is scheduled to make recommendations on the whole field of school financing next March.

But "my quick impulse," Marland added, is that if the question should come up, "the Office of Education would press hard for the child benefit theory as distinct from more direct support," such as tax credits.

Marland said he knew of no new form of federal aid to private schools now under consideration in the administration. He added that he doubts private schools would be legally eligible for aid under the President's general revenue-sharing plan.

He also announced the appointment of a new coordinator to "help non-public school pupils obtain all federal aid services for which they are eligible now."

[From the New York Times, Nov. 18, 1971]

AID FOR NONPUBLIC SCHOOLS HELD LIMITED

WASHINGTON, Nov. 17.—Dr. Sidney P. Marland Jr., the Commissioner of Education, said today that he knew of no legal means to allocate public funds directly to nonpublic schools or to the parents of children who attend them.

Speaking at a news conference after a three-day closed meeting of public and nonpublic school superintendents, Dr. Marland said he believed that recent Supreme Court decisions restricted Federal assistance to services benefiting the children—and ruled out direct aid to institutions.

In a speech Aug. 17 before the Supreme Council of the Knights of Columbus in New York City, President Nixon assured Roman Catholics of his support for nonpublic schools.

At a time when nonpublic schools are closing "at the rate of one a day," the President said, "we must resolve to stop that trend and turn it around—and you can count on my support to do that."

But Dr. Marland said today that, "in terms of the law and the rulings of the Court, the Federal Government has only limited range in which to work to assist nonpublic schools."

Asked about tax credits for parents, a plan endorsed Monday by the nation's Roman Catholic bishops at the semi-annual meeting of the United States Catholic Conference, the commissioner said "I don't know whether they'd be constitutional."

The Most Rev. William E. McNanus, co-chairman of the Bishops' Committee on Education and a member of the President's panel on nonpublic education, said a week after the President's speech last August that the tax credit plan was the most promising option open.

While pessimistic about the possibility of direct funding, Dr. Marland promised to "press hard" to insure that nonpublic schools receive all the services they are entitled to.

Officials of the Office of Education noted that "surveys by the President's Commission on School Finance indicate that participation [of nonpublic schools in Federal programs] is far lower than might reasonably be expected.

The commission has collected statistics that it says show that the average low-income nonpublic participant in Federal programs receives "only two-thirds as much Federal aid as public school participants in similar areas."

Dr. Marland said that nonpublic schools could take greater advantage of such services as vocational training, education of handicapped children and shared-time arrangements designed to permit their students to benefit from public school facilities.

The commissioner announced the appointment of Dwight R. Crumb as "a coordinator who will help nonpublic school pupils obtain all Federal aid services for which they are eligible."

Mr. Crumb, who is 52 years old, is now serving as assistant director of the Division of Vocational and Technical Education in the Education Office.

The commissioner said Mr. Crumb's position would "not be one of advocacy but one of communication." He added that Mr. Crumb could help nonpublic schools acquire increased services by making sure they were aware of the details of what is available, particularly under Title I of the National Elementary and Secondary Education Act of 1965.

Dr. Marland described the conference on school superintendents, which included public and nonpublic educational leaders from the 44 largest school districts in the country, as significant "simply because it came off at all."

A source who attended the conference said many of the public school administrators seemed to be disgruntled because they felt the Office of Education should solve their financial problems before worrying about nonpublic schools.

[From the Christian Science Monitor, Tuesday, Nov. 23, 1971]

Nixon Plans No New Aid to Parochial Schools

The Nixon administration is not now considering any new form of federal aid to parochial schools, despite the impression the President left to the contrary in New York, last August.

Roman Catholic educators were heartened at the time by the President's comments. Mr. Nixon deplored the fact that Catholic schools were "closing at the rate of one a day."

"We must resolve to stop that trend," he said, adding that "you can count on my support to do that." He was addressing the Knights of Columbus, a Catholic lay organization.

Now, however, Education Commissioner Sidney P. Marland has made it clear that the President's remarks were not intended as a pledge of actual support.

EYE ON CATHOLIC VOTE?

They were intended more as moral support, apparently, with an eye on the Catholic vote.

When Mr. Nixon appeared before the Knights of Columbus, the Supreme Court had just struck down state aid for secular instruction in sectarian schools as a violation of the First Amendment.

"The federal government has only a limited range in which to work in terms of helping nonpublic schools," Mr. Marland says now. He believes that these schools will continue to derive their main support from "family tuition."

Mr. Marland met with the press following a two-day conference of public and parochial school superintendents from the nation's 40 largest cities, sponsored by the U.S. Office of Education. The meeting was designed, according to the Office of Education, "to explore ways of implementing President Nixon's pledge to assist nonpublic schools in obtaining all the federal aid legally possible."

DISAGREEMENT NOTED

When this exploration turned up no new discoveries on the federal front, many supporters of federal aid to parochial schools were deeply disappointed.

And Mr. Marland's comments put him directly at odds with the nation's Catholic bishops who announced Nov. 15 that they would fight for federal tax credits to support Catholic and other nonpublic schools.

The tax-credit idea would allow parents ot deduct part of their children's tuition from their federal income taxes.

Asked about administration support for such a concept, Commissioner Marland said that any detailed answer should await the finding of the President's Commission on School Finance.

TAX CREDIT OPPOSED

But his view now is that the tax-credit idea should be rejected.

If the question should come up, says Commissioner Marland, "the Office of Education would press hard for the child-benefit theory, an distinct from more direct support" (such as tax credits).

The child-benefit theory is part of a current law under which some federal funds do reach Catholic schools. So far, such aid has been delivered indirectly in very limited amounts.

Mr. Marland spoke of "the great danger of creating overexpectations."

He points out that federal aid to the country's elementary and secondary schools is still "modest." Federal funds going to public schools amount to only about 7 percent of the total cost. State funds amount to about 41 percent of the total cost of public schools, and the rest is paid for by the locality.

Technically, no federal funds go directly to parochial schools. But federal funds do reach parochial schools through special "services," such as funding some textbooks for Catholic schoolchildren, and for some measure of compensatory education.

Commissioner Marland would go no further than to say the administration would "help nonpublic school pupils obtain all federal-aid services for which they are eligible now."

[From the New York Times, Aug. 26, 1971]

U.S. PANEL WEIGHS TAX AID TO PUPILS

CREDIT FOR PARENTS IS CALLED MOST PROMISING PLAN FOR HELPING PRIVATE SCHOOLS

WASHINGTON, Aug. 25.—The President's Panel on Nonpublic Education is considering a tax credit plan that would reimburse the parents of private school children for their educational expenses.

The Most Rev. William E. McManus, Bishop of Chicago, one of two Catholics on the four-man panel, said this sort of government-assistance plan was the most promising option open.

"The constitutional experts say the tax credit method would have the least constitutional risks," he said.

Proposals studied

This and other proposals geared to assisting students rather than the private institutions they attend have been given special attention by the panel since the Supreme Court prohibited direct aid to church-connected schools.

Eighty-seven per cent of the 5.4 million American children attending nonpublic elementary and secondary schools are enrolled in schools run by the Roman Catholic Church.

Established in April, 1970, as part of the President's Commission on School Finance, the panel issued a preliminary report last February and will include its recommendations in the commission's report, which is due March 3, 1972.

In Minnesota, where a tax credit plan is already operating, the parents of private school children deduct their educational expenses from their state income taxes.

If their school bills are higher than their tax bills, the state issues a rebate of up to $100.

Under a parental voucher plan being considered in California, the state would issue vouchers to parents to be used to pay for either public or private education.

Maryland grants

A $12.1-million scholarship program approved in April by the Maryland Legislature provides grants ranging from $75 to $200, based on family income, to each child in nonpublic schools. The grants are limited to families with incomes of $12,000 a year or less.

The Rev. C. Albert Koob, president of the National Catholic Educational Association, described salaries as the biggest budgetary concern of Catholic schools but said the Supreme Court had left little room for government aid in that area.

In a ruling handed down June 28, the High Court declared unconstitutional statutes in Rhode Island and Pennsylvania that provided financial assistance for teachers' salaries in non-public elementary and high schools.

"What we're left with," Father Koob said, "is having to hike up tuition to pay salaries and just hope that the parents will be reimbursed."

John Markert, executive director of the Minnesota Catholic Conference, said the tax credit plan there, which is considered a model by both panel members and church officials, "has managed to avoid the entanglement prohibited by the Court."

"This program means the church has a relationship with the state," he said, "but it does not mean the two are excessively entangled."

Chief Justice Warren E. Burger wrote in his majority opinion June 28 that statutes designed to help nonpublic schools "must not foster an excessive government entanglement with religion."

The American Civil Liberties Union and Americans United for Separation of Church and State have already begun legal proceedings to challenge the constitutionality of the Minnesota plan.

Sam Shriner, executive director of the Minnesota Jewish Community Relations Council, has been among the leading opponents of the tax credit program.

"It is not only excessive entanglement," he said, "it is preferential and discriminatory because it pays the parents who send their kids to private schools but it doesn't pay the parents who send their kids to public schools."

He said the tax forms that must be completed by the non-public schools to support parents' tax reports "indicate extensive entanglement of the state in the operation of the schools."

Without announcing support for any particular plan, President Nixon last week reaffirmed his commitment to providing Government assistance to non-public schools.

"We must resolve to stop that trend (Catholic schools closing at the rate of one a day) and turn it around," he told the Supreme Council of the Knights of Columbus in the speech in New York, "and you can count on my support to do that."

Catholics Are Divided on Aid to Schools

As debate rages among Catholics—both liberal and conservative—about the validity of parochial schools, the U.S. bishops are gearing up for a massive campaign to get federal tax credits for parents of parochial school students.

In addition to their normal foes on public aid, the Catholic officials have a new group of people to convince that their schools should be kept alive by public funds—Catholics. The traditional opponents have been public educators, who feel all public funds for education should come to them and not be diverted to private education.

Other persistent opponents of using public funds for private schools are those who resist the "entanglement" of church and state, the same argument that was the basis of the Supreme Court decision in June overturning a Pennsylvania law that provided direct subsidy for the teaching of non-religious subjects in private schools.

These recent developments are indicative of the current confusion that exists among Catholics themselves about their schools:

Some high administrative personnel in the United States Catholic Conference headquarters here say privately that they no longer think the parochial school system should continue to exist.

- Surveys taken by President Nixon's Commission on School Finance indicate that the decline in Catholic elementary and secondary school enrollment—down in the last five years from 5.5 million to about 4.5 million—would have occurred if no Catholic schools had closed.
- At least one of the studies indicated that the same decline will occur in the next five years, no matter what the financial situation of the Catholic schools.
- One portion of Catholics would like to see some of their schools remain open, but they'd like to see them concentrate on serving the poor, a function some Catholic schools already serve in some locations.

The growing debate over parochial schools finds opponents of the current system coming from many perspectives. Both liberals and conservatives are now declaring that money is not the only problem of the system.

Liberal Catholics complain after the Second Vatican Council ended in 1965 that the religious education provided in their schools was too traditional and did not represent the newer understandings of church teachings.

Now, many of the parochial school religious teachers have absorbed those liberal ideas and are teaching them. Consequently, the conservative parents, in some dioceses, are outraged.

Both sets of parents have used the same political club—they say goodby to the parochial schools and either assume personal responsibility for their children's religious education or send them to special religion classes.

"The real problem with Catholic education today is that too many Catholic parents have lost confidence in it, and in many cases rightly so," says the Rev. Albert Nevins, editor of Our Sunday Visitor, the nation's largest Catholic weekly newspaper, in the current issue of the Visitor.

Elaborating, he writes, "A nation of immigrants—people at the bottom of the wage scale—built the great cathedrals, churches, universities and schools that we have today. Catholics will find the money to keep their schools open—but only if they see these schools have a value. We are suffering today not a loss of money but a loss of confidence."

The Rev. George Elford, a liberal and now director of the research department in the National Catholic Education Association office here expresses a somewhat similar view, but from a very different perspective.

"The government aid question is a distraction," said Father Elford, who is former superintendent of parochial schools in Indianapolis.

"We didn't blame the government for not building our schools years ago. We built them ourselves. I suppose it—government aid—has always been a fair question to raise. But it has a paralyzing effect. We conclude too quickly that we don't have to do it ourselves—that we can go to the government and let them do it for us."

[From the New York Times, Nov. 28, 1971]

Catholic Schools: Their Days May Be Numbered

A year ago, the former secretary of education for the Archdiocese of New York warned that the Catholic school system of the United States could be destroyed "from within" by the very persons who teach and administer in them. Msgr. George A. Kelly, a professor in contemporary Catholic problems at St. John's University, cited "some priests, some Brothers, and some Sisters" of Catholic teaching orders, who would pull their religious communities out of Catholic education, to meet new and different challenges.

Last Monday the Archdiocese of New York's school system—with 192,861 students spread over 10 counties, the fourth largest Catholic system in the country—was indeed threatened "from within," but from another source. The Federation of Catholic Teachers, Local 2092, AFL–CIO, representing some 1,400 of the 2,800 lay teachers of the archdiocese, struck over wages and pay parity between elementary and high school teachers. The strike closed four schools in Manhattan and the Bronx—where the union's membership is heaviest—and disrupted 110 more of the diocese's 406 schools. F.C.T. is represented in 329 of the schools.

The Thanksgiving holiday blunted the initial impact of the strike, and today representatives of the union and of the Association of Catholic Schools, the administrative unit which is bargaining for the archdiocese, return to the negotiating table. Despite this move, the strike could still be lengthy particularly if F.C.T. president Barry F. Ryan stands firm on the issue of pay parity. He has maintained right along that it was "parity or bust."

The union's demands seemed hardly exorbitant. Its proposal of a 10-step, $8,500 to $15,400 salary scale would, if granted in full, still leave Catholic school teachers well behind their New York public school counterparts, who receive $9,400 to $16,950 in eight increments. Likewise, high school-grade school pay parity would give Catholic teachers a benefit which New York public school teachers have had since 1947.

The archdiocese, for its part, was not inclined to trumpet its offer of $200 more for elementary teachers, $400 for high school instructors, and $600 to those without degrees. "Everyone is in favor of paying them as good a wage as public school teachers or better," said Msgr. Donald J. Pryor for the Association of Catholic Schools. "It means the caliber of our teachers would be better."

For the archdiocese, however, there is the problem that the money is not there to give. The Catholic school system operates on a deficit that could reach $31.4-million per year by 1972, according to one study. To meet the teachers' full demands would cost $10-million by one estimate, and swell the deficit to the point where, in Monsignor Pryor's words, "certainly one-third and perhaps as much as one-half" of the schools would be put out of business

For the time being, however, the burden of a presumed settlement between the archdiocese and the lay teachers will fall on the parishes. Only about one-fourth of operating expenses come from tuitions, the remainder being made up primarily by parish subsidies. Some 60 to 70 percent of parish budgets are already going for support of the parish school, an imbalance at any time but never more so than in a period of tight money and declining church revenues. The net effect may be to make Catholic schools more and more a suburban institution, since only the more affluent suburban parishes will be able to afford them.

But even in the suburbs money is not the whole answer. In inner-city and transition areas, seats are filled in Catholic schools, perhaps because the parochial school, with its discipline and tighter cultural knit, can be a seeming island of stability in an otherwise chaotic world. But in settled suburban areas, Catholic school officials are confronted with the phenomenon of open desks and empty seats, sometimes ranging as high as 30 percent.

Part of the explanation, of course, is the falling Catholic birth rate.

Part, also, is what a study conducted for the state's Fleischmann Commission terms "changing Catholic tastes." The study, done in conjunction with the commission's analysis of the "quality, cost and financing" of elementary and secondary education in the state, related the changing tastes to items such as better physicial facilities and more convenient locations rather than to substantive qualitative differences between the public and the Catholic school systems. The academic quality of the two systems "compare favorably," the study stated.

Perhaps—but nowhere near all Catholic parents are so sanguine about the quality of Catholic schools. Larger class sizes, fewer top-qualified teachers, and an inability to match the enrichment programs of public schools in such fields as mathematics, music, science, languages and physical-education have prompted many Catholic parents to look elsewhere for a school for their children.

Another problem is the Catholic school system's retention of the old 8–4 grade sequence—eight grades of grammar school and four of high—years after the public school system has introduced the intermediate school and gone to a 6–3–3 grade sequence. This poses particular difficulty in areas where there is no parochial high school. To spare the child the adjustment troubles that come from moving from the eighth grade of Catholic school into the second years of intermediate school, many parents prefer to transfer the child after the sixth grade into public school. This leaves the seventh and eighth grades of many suburban Catholic schools seriously depopulated.

The decline in religious vocations is another factor. Some parents conclude that if the drain-off of teaching religious means that their child is going to be taught by a lay person, then they might just as well send the child to public school. Among other considerations, the move saves tuition fees, an average of $150 for elementary school but which can be $900 for high schools.

Finally, there is a growing suspicion among increasing numbers of Catholics that the Catholic school may not be the place after all to prepare a child for life in a pluralistic society. They worry that the low racial mix of the Catholic school and the absence of children of other faiths will give the child a distorted impression of the world in which he must one day function.

It is developments such as these which contribute to a feeling that the striking lay teachers and school officials of the archdiocese may actually be but bit players in a drama which is larger than both of them, and which will be settled by issues which are not even on the negotiating table.

FEDERAL ASSISTANCE PROGRAMS FOR WHICH STUDENTS OR FACULTIES IN PRIVATE SCHOOLS, COLLEGES, AND UNIVERSITIES ARE ELIGIBLE

Congress has established educational programs to benefit students in both public and private schools through the passage of legislation such as; the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, the National Defense Education Act of 1958, the Economic Opportunity Act of 1964, the National Science Act of 1950, the National Foundation on the Arts and Humanities Act of 1965, the Housing Act of 1950, the National School Lunch Act of 1946, and the Child Nutrition Act of 1966.

The following are the major Federal programs affecting the education of children in private elementary and secondary schools.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE PROGRAMS

Program: BILINGUAL EDUCATION (Title VII)

The development and operation of new programs, services, and activities which meet the special educational needs of children 3 to 18 years of age who have limited English-speaking ability and who come from environments where the dominent language is not English.

For Information Contact: WRITE:
Division of Compensatory Education
Bureau of Elementary and Secondary Education
U.S. Office of Education
Washington, D.C.

Legal Basis: Bilingual Education Act: Public Law 90-247, as amended by Public Law 91-230; 20 U.S.C. 880b.

Program: DROPOUT PREVENTION

To provide grants to local public education agencies for the development and demonstration of educational practices which show promise of reducing the number of children who fail to complete their elementary and secondary education.

For Information Contact: Local education agency

OR WRITE:

Chief
Dropout Prevention Program,
Bureau of Elementary and Secondary Education
Office of Education
400 Maryland Avenue, S.W.
Washington, D.C.

Legal Basis: Elementary and Secondary Education Act of 1965 as amended; Public Law 89-10; Title VIII, Section 807; Elementary and Secondary Education Amendments of 1967; Public Law 90-247; Titles I, VIII, Sections 172, 702; 20 U.S.C. 887.

Program: SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES, GUIDANCE, COUNSELING, AND TESTING

Innovative and exemplary projects which are designed to demonstrate solutions to the critical educational needs of the state, as specified in the state plan, are eligible for support. At least 15 percent of the funds must be reserved for special programs for handicapped children. For the purposes of guidance, counseling, and testing programs, each state must expend no less than 50 percent of the amount expended from fiscal year 1970 Federal grant funds for the purposes of Title V-A of the National Defense Education Act, which formerly authorized the guidance, counseling and testing program. The Commissioner of Education is authorized to arrange for the testing of nonpublic school students in any state in which the state provides such testing in public schools, but is not authorized by law to make payments for such testing in nonpublic schools. An invitation to bid on testing materials and/or services is sent to test agencies by the Office of Education.

For Information Contact: Chief
State Plans Branch,
Office of Education
400 Maryland Avenue, S.W.
Washington, D.C.

Legal Basis: Elementary and Secondary Education Education Act of 1965, as amended; Public Law 89-10, Title III, section 301; 79 Stat. 39; 20 U.S.C. 841.

Program: EDUCATION OF THE HANDICAPPED

This program helps meet the needs of children who are handicapped by providing a variety of needed educational services.

Possible programs for children in private schools include grants for research and demonstration projects, grants for experimental preschool and early childhood programs, deaf-blind centers, film and instructional media, physical education and recreation research, and training, and regional resource centers, handicapped teacher education and teacher recruitment and information.

For Information Contact: Bureau of Education for the Handicapped
Office of Education
Washington, D.C. 20202

Legal Basis: EDUCATION FOR THE HANDICAPPED ACT, Public Law 91-230; 20 U.S.C. 1401.

Program: VOCATIONAL EDUCATION

To assist in conducting vocational education programs for persons of all ages in all communities with the objective of insuring that education and training programs for career vocations are available to all individuals who desire and need such education and training.

For Information Contact: HEW Regional Offices

OR:

Director
Division of Vocational and Technical Education
Bureau of Adult, Vocational and Technical Education
Office of Education
Washington, D.C. ,

Legal Basis: Vocational Education Amendments of 1968, Title I, Part B; Public Law 90-576.

Program: SCHOOL EQUIPMENT LOANS TO NONPROFIT PRIVATE SCHOOLS

To private loans to nonprofit private elementary and secondary schools for the acquisition of equipment and minor remodeling of laboratory or other space.

For Information Contact: Director
Division of State Agency Cooperation
Bureau of Elementary and Secondary Education
Office of Education
Washington, D.C. 20202

Legal Basis: National Defense Education Act of 1968; Public Law 85-864, as amended, Title III, Section 305; 20 U.S.C. 441.

Program: CONTRACTS TO ENCOURAGE FULL UTILIZATION OF EDUCATIONAL TALENT

The programs under this include:

1. Talent Search, designed to identify qualified youths of financial or cultural need with an exceptional potential for postsecondary educational training and encourage them to complete secondary school and undertake postsecondary educational training.

   publicize existing forms of student financial aid, including aid furnished under this title,

   encourage secondary-school or college dropouts of demonstrated aptitude to reenter educational programs, including postsecondary-school programs.

2. Upward Bound, which is designed to generate skills and motivation necessary for success in education beyond high school and in which enrollees from low-income backgrounds and with inadequate secondary-school preparation participate on a substantially full-time basis during all or part of the program.

3. Special Services for Disadvantaged Students, of remedial and other special services for students with academic potential who are enrolled or accepted for enrollment at the institution which is the beneficiary of the grant or contract, and who, by reason of deprived educational, cultural, or economic background, or physical handicap, are in need of such services to assist them to initiate, continue, or resume their postsecondary education.

For Information Contact: Division of Special Student Services
Office of Education
Washington, D.C. 20202

Legal Basis: Higher Education Act of 1965, Title IV-A, Public Law 89-239, Public Law 90-575; 20 U.S.C. 1101.

Program: IMPROVED EDUCATION FOR CHILDREN IN POVERTY AREAS

This program helps meet the needs of children in low-income areas by providing a variety of vitally needed educational services. Each school district determines which programs are needed to help its educationally deprived children.

Possible programs for children in private schools include shared time, educational radio and television, loan of equipment and materials, and sending public school teachers into the private schools for special services.

For Information Contact: Local Public Educational Agency

OR WRITE:

Division of Compensatory Education
Bureau of Elementary and Secondary Education
U.S. Office of Education
Washington, D.C.

Legal Basis: The Elementary and Secondary Education Act of 1965 (P.L. 89-10 as amended, Title I)

Program: SURPLUS PROPERTY UTILIZATION PROGRAM

This program provides Federal surplus property of all kinds, including tools, furniture, communication and construction machinery for both public and private educational institutions.

For Information Contact: Surplus Property Utilization Division
Department of Health, Education, and Welfare
Washington, D.C.

Legal Basis: Federal Property and Administrative Services Act of 1949 (P.L. 81-152 as amended)

DEPARTMENT OF AGRICULTURE PROGRAMS

Program: SCHOOL BREAKFASTS

Federally appropriated school breakfast program funds are available to reimburse public and nonprofit private schools for breakfasts meeting the requirements as established by the Secretary of Agriculture and which are served to children of high school grade and under. Program regulations provide for a Federal reimbursement rate of up to $0.15 per breakfast served or the cost of locally purchased foods, whichever is the lesser. In areas of severe need where all or nearly all of the children are in need of a free or reduced price breakfast, Federal assistance can total up to 80 percent of the operating costs.

Schools eligible are those drawing attendance from areas in which poor economic conditions exist and schools to which attending children must travel a long distance receive primary consideration and, if funds permit, other schools may participate. All children attending schools in which the breakfast program is operating may participate. Breakfast is served free or at a reduced price to children who are determined by local school authorities to be unable to pay the full price. Children who are able to pay the full price are expected to do so. Public schools and private schools which are exempt from income tax under the Internal Revenue Code, as amended, are eligible to participate.

For Information Contact: Director,
Child Nutrition Division,
Food and Nutrition Service
U.S. Department of Agriculture
Washington, D.C. 20250

Legal Basis: Child Nutrition Act of 1966; 42 U.S.C. 1773(a); as amended by P.L. 90-302; 82 Stat. 119; 42 U.S.C. 1776.

Program: SCHOOL LUNCH PROGRAM - NONFOOD ASSISTANCE (EQUIPMENT PROGRAM)

Cash assistance for purchase of equipment for storing, preparing, transporting and serving food to children, not to exceed 75 percent of the cost of such equipment. Federal funds are available to assist schools drawing attendance from areas in which poor economic codditions exist to purchase equipment needed to establish, maintain, and expand food services. Federal funds are apportioned among states to pay needy schools up to three-fourths of the total price of the equipment including installation charges.

Schools eligible are those drawing attendance from areas in which poor economic conditions exist which exhibit a need for equipment for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs.

Program helps reach children who attend schools with little or no equipment to start or expand food service programs since schools approved for nonfood assistance must agree to take part in the National School Lunch Program and/or the School Breakfast Program.

Public schools and private schools which are exempt from income tax under the Internal Revenue Code, as amended, are eligible to participate if they meet the requirements set out in G. 1.

For Information Contact: Director,
Child Nutrition Division,
Food and Nutrition Service
U.S. Department of Agriculture
Washington, D.C. 20250

Legal Basis: Child Nutrition Act of 1966; P.L. 89-642; 42 U.S.C. 1771.

Program: NATIONAL SCHOOL LUNCH PROGRAM (SCHOOL LUNCH PROGRAM)

Federally appropriated National School Lunch Program funds are available to reimburse public and nonprofit private schools for Type A lunches served to children of high school grade and under. A portion of the funds available each year are also used to make direct purchase of nutritious agricultural products for donation to participating schools. Federal cash for food assistance may not be used to purchase land or to acquire or construct buildings or make alterations to existing buildings or to purchase automotive equipment.

Schools desiring to participate must agree to operate a nonprofit lunch program which is available to all children regardless of race, creed, or national origin. Lunches served must meet minimum nutritional standards as established by the Secretary of Agriculture. Lunches must be served free or at a reduced price to children who are determined by local school authorities to be unable to pay the full price for their lunches. The school authorities must follow specified minimum regulatory criteria in making such determinations under a publicly announced plan and make no physical segregation of, or other discrimination against, any child because of his inability to pay the full price of the lunch.

Children of high school grade or under in attendance are eligible.

Public schools and private schools which are exempt from income tax under the Internal Revenue Code, as amended, are eligible to participate.

For Information Contact: Director,
Child Nutrition Division,
Food and Nutrition Service
U.S. Department of Agriculture
Washington, D.C. 20250

Legal Basis: National School Lunch Act of 1946, as amended; 42 U.S.C. 1751-1760.

Program: SPECIAL MILK PROGRAM FOR CHILDREN (SCHOOL MILK PROGRAM)

The authorized maximum rates of reimbursement are $0.04 per half pint for schools which also participate in the National School Lunch Program (with no reimbursement paid on the first half pint of milk served with the Type A lunch), and $0.03 per half pint in those remaining schools and child care institutions where milk is sold as a separately priced item. Up to $0.01 of this reimbursement may be retained for the purpose of defraying all or part of the handling cost. Within these maximum rates, the amount of reimbursement paid will depend upon the cost of the milk, the proposed selling price to the child, and the margin allowed to defray the cost of distributing milk within the school or institutions.

All public and nonprofit private schools of high school grade and under are eligible to participate. Also nonprofit child care institutions such as nursery schools, child care centers, settlement houses, and summer camps are eligible for assistance under this program. All schools and child care institutions which participate must agree to operate the program for all children without regard to race, color, or national origin.

All children attending schools and institutions in which the Special Milk Program is an operation may participate in the program.

Public schools, private schools, and institutions, which are exempt from income tax under the Internal Revenue Code, as amended, are eligible to participate.

For Information Contact: Director,
Child Nutrition Division,
Food and Nutrition Service
U.S. Department of Agriculture
Washington, D.C. 20250

Legal Basis: Child Nutrition Act of 1966, as amended; P.L. 91-295; 84 Stat. 336; 42 U.S.C. 1772.

PRESIDENT'S COUNCIL ON PHYSICAL FITNESS AND SPORTS PROGRAMS

Program: NATIONAL SUMMER YOUTH SPORTS PROGRAM (NSYSP)

To join the resources of the U.S. Government with the facilities and professional expertise of the colleges and universities throughout the country in making the sports experience available to, mainly, inner-city poor girls and boys, whose social and economic environment, for the most part, has previously denied them opportunity to participate in sports on any supervised and instructional basis.

Federal funds are used to defray the given college's direct costs in the following categories; personnel staffing, medical examination and follow-up, daily meal, medical and liability insurance, capital equipment depreciation attributable to the NSYSP, replacement of expendable supplies used in the program. A given college project must have average attendance of at least 200 students per day, 90 percent of whom must be residents of designated poverty areas. Programs must operate at least 4 days per week, at least 5 weeks of the summer. Direct costs only are reimbursable. A given college contribution is in-king, i.e., capital facilities, capital equipment, etc., and the services of a full-time program director paid by the college.

For Information Contact: President's Council on Physical Fitness and Sports
Room 2600, ROB-3
7th & D Streets, S.W.
Washington, D.C. 20202

Legal Basis: Executive Order 11562, September 25, 1970.

Program: PHYSICAL FITNESS PROGRAM DEVELOPMENT

To provide professional consultation, technical advice, guidance and counseling to school systems, government agencies, employee organizations, industrial organizations, etc., who wish to introduce or to improve physical fitness programs. Further, to help design programs which respond to specialized physical fitness requirements, e.g., police, firemen.

Professional consultation and technical assistance in the research, design, development and implementation of physical fitness programs and programs designed to expand the exercise and sports participation opportunities. The limitations are fundamentally those imposed by the comparatively small size of the professional staff of the Council; in addition, the Council does not render this service to organizations for whom physical fitness is a commerical interest. The consultation includes analysis of requirements, fitness program design, advice as to facilities needs, knowledge of appropriate equipment, including quality, and certain limited in-service training of the personnel through institutes and physical fitness clinics.

For Information Contact: The President's Council on Physical Fitness and
Sports
Washington, D.C. 20202

Legal Basis: Executive Order 11562, September 25, 1970.

Program: PRESIDENTIAL PHYSICAL FITNESS AWARD

To motivate and encourage boys and girls 10 through 17 years of age to become physically fit.

Program encourages the testing of children-10-17 years of age to determine their ability to pass a set of seven tests. Children who score at least an 85 percentile for their sex and age can be recommended to receive: (a) a physical fitness emblem and (b) a certificate signed by the President of the U.S. If they are also considered by the school to be student-citizens in good standing, the school must arrange the purchase of the emblem and certificate without cost to the student. Certificate and emblem are awarded to the student by the school upon receipt. The program is self-sustained by virtue of being administered by elementary and secondary schools at no cost to the student or to the Federal Government. The tests may be conducted by a non-school agency, but the school must certify the results and indicate that the student is in good standing with the school.

Elementary and secondary schools are eligible.

For Information Contact: The President's Council on Physical Fitness and Sports
Washington, D.C. 20202

Legal Basis: Executive Order 11562, September 25, 1970.

NATIONAL SCIENCE FOUNDATION PROGRAMS

Program: ACADEMIC YEAR INSTITUTES FOR SECONDARY SCHOOL TEACHERS

Grants to institutes conducted full time during the school year to provide specially designed science or mathematics programs for secondary school teachers or supervisors for the purpose of their schools. Some institutes include an additional related summer program to enable selected participants to complete the requirements for an advanced degree.

Academic year institutes are available for teachers or supervisors interested in concentrating on a single discipline or studying several related disciplines, and teachers seeking specific educational objectives, such as science supervision.

Institutions eligible to apply for grants to conduct Academic Year Institutes for Secondary School Teachers are colleges and universities which offer appropriate graduate-level work.

To be eligible for stipend support in an Academic Year Institute for Secondary School Teachers an individual: (1) must be presently employed as a teacher or supervisor of science or mathematics in grades 7-12 with at least five years of teaching experience; (2) must ordinarily have received a bachelor's degree; and (3) must not, except in a few speicified cases, have attended a previous NSF supported academic year institute, two or more summers of a sequential program in summer institutes leading to an advanced degree, or any three summer institutes during the five years preceding the academic year in question. Teachers not meeting all of the above requirements may participate in some of the projects on a tuition-and-fees only basis.

For Information Contact: Division of Pre-College Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: SUMMER INSTITUTES AND SHORT COURSES FOR SECONDARY SCHOOL TEACHERS

Grants in support of institutes and short courses which during the summer months provide opportunities for the supplementary training of secondary school science and mathematics teachers, for the purpose of improving the science and mathematics programs in their schools.

Institutions eligible to apply for summer institute or short-course grants are colleges and universities which grant at least a baccalaureate-level degree, and appropriate nonprofit organizations.

To be eligible to attend a Summer Institute or Short Course for Secondary School Teachers, an individual must be currently employed as a teacher or a science or mathematics supervisor at the secondary school level, grades 7-12. A teacher must be employed at least half-time and must teach at least one full course in natural science or mathematics, or must teach substantial amounts of social science in at least one secondary school course.

Priority among applicants to a summer institute--except for qualified returnees in a sequential institute--is given to individuals who have not previously received stipends in summer or academic year institutes and who provide evidence that their participation will assist their schools in improving the schools' science and mathematics programs. Preference is given to individuals who have taught for at least three years.

For Information Contact: Division of Pre-College Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: IN-SERVICE INSTITUTES FOR SECONDARY SCHOOL TEACHERS

Grants that provide supplemental science or mathematics instruction for secondary school teachers or supervisors for the purpose of improving the science and mathematics programs of their schools. The times during which instruction is offered in these projects is so chosen that teachers may participate in a program of study without interference with their classroom duties.

Organizations eligible to apply for grants to support In-Service Institutes for Secondary School Teachers are universities and colleges that grant at least a baccalaureate-level degree and other appropriate nonprofit organizations.

To be eligible to attend an In-Service Institute for Secondary School Teachers an individual must be a supervisor or teacher of science or mathematics in grades 7-12. In addition, individual institutes establish specific academic prerequisities for admission; their brochures should be consulted for details.

For Information Contact: Division of Pre-College Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: COOPERATIVE COLLEGE-SCHOOL SCIENCE PROGRAM

Grants that enable school systems and nearby colleges and universities to work cooperatively to bring about significant improvements in science (includes social science) or mathematics programs of school systems. Projects may focus on elementary or secondary school programs.

Institutions eligible to submit proposals to the Cooperative College-School Science Program are universities, colleges and other appropriate nonprofit organizations. Grants are not made directly to elementary or secondary school systems, but close collaboration between school systems and the grantee institution in designing the proposal and carrying out the project is essential.

To be eligible for participation in a project, a teacher must be employed by the collaborating school system. Selection of participants is made jointly by the cooperating institution and the local school system.

For Information Contact: Division of Pre-College Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: PRE-COLLEGE CURRICULUM AND INSTRUCTION DEVELOPMENT PROGRAM

Grants that assist scientists and engineers working with educators to carry out projects for the improvement of education in the sciences (including social science), mathematics and engineering for the educational levels from kindergarten through the twelfth grade. High priority will be given to projects designed for a broad ability range of students in the elementary and secondary schools, and to the development of courses and units which relate science and technology to environmental and societal problems.

Institutions eligible to submit proposals for Pre-College Course Content Improvement projects are colleges and universities and other appropriate nonprofit organizations. Elementary and secondary schools, school systems, and State departments of education are normally excluded as grantees, although the involvement of schools and teachers in all phases of the development of materials is essential.

For Information Contact: Division of Pre-College Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: STUDENT SCIENCE TRAINING PROGRAM (PRE-COLLEGE)

Grants that provide advanced educational opportunities for superior secondary school students. These activities, usually conducted at the grantee institution, encourage student participation in either scientific research or special course work.

Training is usually offered during the summer in sessions of at least five weeks' duration, although academic year projects may also be supported. Research participation projects afford the student the opportunity to work with experienced scientific investigators and to obtain firsthand knowledge of research methods and techniques. Course-oriented projects present subject matter at a level more advanced than can be expected in high school.

Institutions eligible to apply for grants under the Student Science Training Program (Pre-College) are universities and colleges which grant at least a baccalaureate-level degree, and other appropriate nonprofit organizations.

To be eligible to participate in a student science training project an individual must be a high-ability secondary school student, as evidenced by school records. Summer projects are open only to students who will be completing their junior year (11th grade) at the time of application. Academic year projects are open to students from the 10th, 11th, and 12th grades.

For Information Contact: Division of Pre-College Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION PROGRAMS

Program: SPACE SCIENCE EDUCATION PROJECT (SPACEMOBILE)

Through lecture/demonstrations to assembled groups and personal contact with classroom teachers, the program makes available information about U.S. aeronautics and space research and development activities and their results, to enhance the knowledge of students and teachers, to enrich the regular curricula, to assist with in-service teacher training, and to motivate students and teachers in science education and careers.

Schools, teachers training institutions, colleges, universities, civic groups are eligible.

For Information Contact: Education officer or public affairs officer, any NASA field center listed in the appendix or Deputy Director of Educational Programs, Code FE NASA Headquarters Washington, D.C. 20546

Legal Basis: National Aeronautics and Space Act of 1958, as amended Section 203(a)(3); P.L. 85-568; 42 U.S.C. 2473.

The following are Federal programs affecting the education of students in private universities and colleges. Private colleges and universities are eligible for most Federal assistance programs available to public institutions of higher education. Moreover, students in both public and private institutions are eligible for Federal student assistance programs. However, schools or departments of divinity whose programs are specifically for the education of students for the ministry or other religious vocations are excluded from assistance.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE PROGRAMS

Program: COOPERATIVE RESEARCH PROGRAM

Research, demonstrations, course content improvement and related programs are carried out in cooperation with colleges, universities, and State education agencies.

For Information Contact:
Division of Manpower and Institutions,
National Center for Educational Research and Development
Office of Education
Washington, D.C. 20202

Legal Basis: Cooperative Research Act; Public Law 85-531; 68 Stat. 533, as amended by the Elementary and Secondary Education Act of 1965; Public Law 89-10; 79 Stat. 44; 20 U.S.C. 331.

Program: HIGHER EDUCATION FACILITIES CONSTRUCTION GRANTS

Grants are made to institutions of higher education for construction of academic facilities designed for research and instruction in the natural and physical sciences, engineering, mathematics, and modern foreign languages, and for libraries. Construction grants are also available for the establishment or improvement of graduate schools or cooperative graduate centers. The Federal support is limited to one-third of the total cost.

For Information Contact:
Division of Academic Facilities
Bureau of Higher Education
Office of Education
Washington, D.C. 20202

Legal Basis: Higher Education Facilities Act of 1963, as amended; Title I and II, Section 103; Public Law 88-204; Public Law 89-329; Public Law 89-752; Public Law 90-575; 20 U.S.C. 701.

Program: HIGHER EDUCATION FACILITIES CONSTRUCTION LOANS

Loans are made for up to 75 percent of the cost of construction of academic facilities in institutions of higher education.

For Information Contact: Division of Academic Facilities,
Bureau of Higher Education
Office of Education
Washington, D.C. 20202

Legal Basis: Higher Education Facilities Act of 1963, as amended; Title III, Section 306; Public Law 88-204; Public Law 90-575; 20 U.S.C. 746.

Program: LANGUAGE AND AREA CENTERS

Contracts are made with institutions of higher education for the establishment and operation by them of centers for the teaching of certain modern foreign languages and studies related to the cultures in which such languages are used.

For Information Contact: Division of Foreign Studies
Institute of International Studies
Office of Education
Washington, D.C. 20202

Legal Basis: National Defense Education Act (NDEA) 1958, Title VI, Section 601(a) P.L. 85-864; as amended; 72 Stat. 1593; 20 U.S.C. 511.

Program: LANGUAGE FELLOWSHIPS

Stipends are paid to individuals undergoing advanced training in any modern foreign language for which there is a special need in business, government or education. No payment is made to the institution.

For Information Contact:
Division of Foreign Studies
Institute of International Studies
Office of Education
Washington, D.C. 20202

Legal Basis: National Defense Education Act of 1958, Title VI, Section 601(b); P.L. 85-864 20 U.S.C. 511; Stat. 1593.

Program: LANGUAGE RESEARCH

Contracts are made with institutions of higher education for studies and surveys relating to the need for improved instruction in modern foreign language and research in effective methods of improving such instruction.

For Information Contact:
Language and Area Research Section
Division of Foreign Studies
Institute of International Studies
Office of Education
Washington, D.C. 20402

Legal Basis: National Defense Education Act (NDEA), 1958, Title VI, Section 602; P.L. 85-864; 20 U.S.C. 511.

Program: NDEA GRADUATE FELLOWSHIPS

Grants are made to individuals and costs of education payments to institutions of higher education.

For Information Contact: Chief
Loans Branch
Division of Student Financial Aid
Bureau of Higher Education
Office of Education
Washington, D.C. 20202

Legal Basis: National Defense Education Act of 1958; Title VI, Sec. 401, P.L. 85-864; 72 Stat. 1590; 20 U.S.C. 461.

Program: RESEARCH AND DISSEMINATION IN EDUCATIONAL MEDIA

Grants are awarded to institutions of higher education for the development of new curricular materials, teaching techniques, and other research and demonstration projects.

For Information Contact: Assistant Commissioner for Educational Communication
Office of Education
Washington, D.C. 20202

Legal Basis: Cooperative Research Act; Public Law 83-531; 68 Stat. 533, as amended by the Elementary and Secondary Education Act of 1965; Public Law 89-10; Title IV; 79 Stat. 44; 20 U.S.C. 331.

Program: RESEARCH AND DEMONSTRATION IN EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

Grants are awarded to institutions of higher education for the development of new curricular materials, teaching techniques, and other research and demonstration projects.

For Information Contact: Director
Division of Research
Bureau of Education for the Handicapped
Office of Education
Washington, D.C. 20202

Legal Basis: Education of the Handicapped Act, Title VI, Part E; Public Law 91-230; 20 U.S.C. 1401.

Program: STUDENT LOAN PROGRAM

Under Title II of the NDEA funds are appropriated to institutions of higher education so that they may provide low-interest, long-term loans to needy students. Loans are also provided to institutions to help finance their contributions to the loan fund and up to 50 percent of a student loan can be cancelled for service as a teacher after graduation.

For Information Contact: Chief, Loans Branch
Division of Student Financial Aid
Bureau of Higher Education
Washington, D.C. 20202

Legal Basis: National Defense Education Act of 1958, Title II, as amended, Public Law 85-864; 20 U.S.C. 421.

Program: TRAINING GRANTS IN EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

Grants are made to institutions of higher education to support training of teachers, supervisors, speech correctionists, research and other professional personnel in fields related to the education of handicapped children.

For Information Contact: Director, Division of Training Programs
Office of Education
Bureau of Education for the Handicapped
Washington, D.C. 20202

Legal Basis: Education of the Handicapped Act, Title VI (Part D, Section 631); Public Law 91-230; (20 U.S.C. 1401).

Program: HIGHER EDUCATION WORK-STUDY

To promote the part-time employment of students, particularly students from low-income families, who need assistance to pursue courses of study at institutions of higher education.

For Information Contact: Chief, Work-Study Branch
Division of Student Financial Aid
Bureau of Higher Education
Office of Education
Washington, D.C. 20202

Legal Basis: Originally, Economic Opportunity Act of 1964, Title I, Part C, Public Law 88-452; Higher Education Act of 1965; Title IV, Part C, Public Law 89-329; 20 U.S.C. 1011.

Program: EDUCATION OPPORTUNITY GRANTS (EOG)

To enable students of exception financial need to pursue higher education by providing grant assistance for educational expenses.

For Information Contact: Chief, Educational Opportunity Grants Branch
Division of Student Financial Aid
Bureau of Higher Education
Office of Education
Washington, D.C. 20202

Legal Basis: Higher Education Act of 1965, as amended, Title IV, Part A, Sections 401-407 and 409 Public Law 89-329; Public Law 90-575; Public Law 91-95; 20 U.S.C. 1061.

Program: HIGHER EDUCATION ACT INSURED LOANS

Authorizes loans for educational expenses available from eligible private lenders such as banks, credit unions, savings and loan associations, pension funds, insurance companies, and schools, to undergraduate and graduate students enrolled in eligible institutions.

For Information Contact: Chief, Insured Loans Branch
Division of Student Financial Aid
Bureau of Higher Education
Office of Education
Washington, D.C. 20202

Legal Basis: Higher Education Act of 1965, as amended; Title IV-B, Section 421; Public Law 89-329; 20 U.S.C. 1071; Emergency Insured Student Loan Act of 1969; Public Law 91-95.

Program: STRENGTHENING DEVELOPING INSTITUTIONS

To assist developing colleges, qualifying within the definition of the act, in strengthening their academic, administrative, and student services programs so that they may participate adequately in the higher education community.

For Information Contact: Developing Institutions Branch
Division of College Support
Bureau of Higher Education
Office of Education
Washington, D.C. 20202

Legal Basis: Higher Education Act of 1965, Title III, as amended; Sections 301-306; Public Law 89-329; Public Law 80-752; Public Law 90-575; 20 U.S.C. 1051-1056.

Program: COLLEGE LIBRARY RESOURCES AND TRAINING

To assist institutions of higher education in the acquisition of library materials and the training of persons in the practices of librarianship.

For Information Contact: Division of Library Programs
Bureau of Libraries and Educational Technology
Office of Education
Washington, D.C. 20202

Legal Basis: Higher Education Act of 1965, Title II-A, as amended, Sections 201 to 208, 1201 to 1204; Public Law 89-329; Public Law 90-575; 20 U.S.C. 1021 to 1028, 1141 to 1144.

Program: UNIVERSITY COMMUNITY SERVICE

To encourage colleges and universities to assist in the solution of community problems by strenghtening those community service and continuing education programs, that are designed to provide communities with problem-solving assistance.

For Information Contact: CSCE Branch
Bureau of Higher Education
Office of Education
Washington, D.C.

Legal Basis: Higher Education Act of 1965. Title I, Public Law 89-329; 20 U.S.C. 1001 as amended by Public Law 90-575; 20 U.S.C. 1001 1005, and 1006.

Program: EDUCATION PROFESSIONS DEVELOPMENT

To assist in the training of qualified personnel in the fields of early childhood, special education, school personnel utilization, higher education personnel development, teacher corps training, training of teacher trainers, vocational education, bilingual education, teacher development for desegregating schools, media specialists, pupil personnel specialists, and educational leadership.

For Information Contact: Bureau of Educational Personnel Development
Office of Education
Washington, D.C. 20202

Legal Basis: Education Professionals Development Act, Public Law 90-35; 20 U.S.C. 1111-1119a. (Title V, Higher Education Act of 1965).

Program: COOPERATIVE EDUCATION

Programs which alternate periods of full-time academic study with periods of full-time public or private employment.

For Information Contact: Cooperative Education Programs
Division of College Support
Bureau of Higher Education
Office of Education
Washington, D.C.

Legal Basis: Higher Education Act of 1965, Title IV; Public Law 89-329, as amended by the Labor HEW Appropriation Act, 1970, Public Law 91-204; 20 U.S.C. 1071.

Program: HOUSING FOR EDUCATIONAL INSTITUTIONS (COLLEGE HOUSING)

Grants may be made for periods not to exceed 40 years in an amount equal to the difference in the average annual debt service required to amortize a private market loan at market interest rates and that which would be required to amortize a 3 percent loan of like term. Direct HUD 3 percent loans will be available only to institutions unable to borrow in the private market at nonexhorbitant interest rates. Facilities eligible for construction or purchase include college residence halls, faculty and married student housing, dining facilities, college unions, infirmaries and housing for student nurses, interns and residents.

Eligible institutions are those public or private nonprofit colleges and universities offering at least a 2-year program acceptable for full credit toward a bachelor's degree and public or private nonprofit hospitals operating nursing schools or internship and resident programs are eligible. Each institution must develop its own plans, subject to local zoning and building codes. Competition for construction contracts is required.

For Information Contact:
Assistant Commissioner for Subsidized Housing Programs
Housing Production and Mortgage Credit/FHA
Department of Housing and Urban Development
Washington, D.C. 20410

Legal Basis: Housing Act of 1950, as amended; Title IV, P.L. 81-475; 64 Stat. 48.77; 12 U.S.C. 1749.

NATIONAL ENDOWMENT FOR THE HUMANITIES PROGRAMS

Program: FELLOWSHIPS FOR GUIDED STUDY IN SELECTED FIELDS

To give young people of promise as scholars and teachers an opportunity to contribute significantly to knowledge of American minority groups through teaching, writing, and leadership in institutions and professions.

The grants are to used for a project of study in Afro-American, Mexican-American, or American Indian historical, cultural, or social studies. Each fellowship will be awarded for use at a designated institution; fellows will work with advice from a scholar at the institution.

For Information Contact: Director
Division of Fellowships and Stipends
National Endowment for the Humanities
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; Public Law 89-209 as amended by Public Law 90-348 and Public Law 91-346; 20 U.S.C. 961-3.

Program: FELLOWSHIPS FOR JUNIOR COLLEGE TEACHERS

To enable teachers of the humanities in junior colleges to undertake studies that will increase their understanding of the subjects they teach and improve their teaching.

For teachers in junior colleges only; fellows will be selected on the basis of their ability and promise as teachers and interpreters of the humanities, rather than on the basis of achievement in research; preference will be given to applicants in the earlier part of their careers.

For Information Contact: Director
Division of Fellowships and Stipends
National Endowment for the Humanities
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; Public Law 89-209 as amended by Public Law 90-348 and Public Law 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE HUMANITIES - EDUCATION

To help educational institutions improve their instruction and to make more effective use of resources in the humanities.

Grant funds may be used to carry out experiments in humanities education, hold conferences or institutes to improve teaching of the humanities, develop teaching materials, promote educational uses of libraries, or plan, carry out, and evaluate curricular reform. Funds are not available for construction costs, library acquisitions, production costs of books or journals, or for non-essential permanent equipment.

Educational institutions and nonprofit educational organizations are eligible.

For Information Contact: Director of Education Programs
National Endowment for the Humanities
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209, as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE HUMANITIES FELLOWSHIPS AND SUMMER STIPENDS FOR YOUNGER HUMANISTS

The purpose of these awards is to give promising young humanists free time, at a relatively early point in their careers, to develop their capacities for significant contribution to humanistic knowledge and to teaching.

The grants may be used for a project of study or research within the applicant's special interest, or for a program of general study in some other field that will help the applicant better understand his own field and become a more broadly informed humanist. The Endowment is interested both in studies that will contribute to better understanding of matters of current national concern and in more traditional studies. Fellowships and summer stipends are not awarded for tenure in schools or departments of divinity; and musical composition or performance, painting, the writing of poetry or fiction, and other creative or performing activities in the arts are excluded from Endowment support.

Fellowships are opent to those under 40 years of age who have completed their professional training. A person not employed by an institution may apply directly; a member of an institution's faculty or staff must be nominated by his institution. Applicants must be citizens of the United States or native residents of its territorial possessions.

For Information Contact: Director
Division of Fellowships and Stipends
National Endowment for the Humanities
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program : PROMOTION OF THE HUMANITIES - PUBLIC PROGRAMS

To transmit humanistic knowledge and insights to public, nonacademic audiences, particularly through projects that help the general public understand the background of contemporary issues or problems.

Personnel and other costs of production or presentation. Funds not available for construction cost, museums and libarry acquisitions, purchase of permanent equipment. Support not offered for performance and creative work in the arts.

Nonprofit institutions, among others: museums, libraries, education television stations, colleges and universities. Encourage interdisciplinary and interprofessional programs-combinations of academic personnel in various humanities fields or combinations of academicians and skilled writers, performers, and media personnel.

For Information Contact: Director of PUblic Programs
National Endowment for the Humanities
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE HUMANITIES - RESEARCH AND PUBLICATION

To fund, wholly or partly, research or publication projects which contribute to knowledge and understanding of the humanities.

Grants support the basic costs of research and editing projects, including travel, per diem payments, supplies and appropriate research assistance. Payment for purchases or rental of equipment is not allowable nor is payment for released time for academic persons.

U.S. citizens and residents in U.S. territories and U.S. learned societies, organizations, and academic institutions (or their employees whether or not they are citizens) are eligible. Foreign institutions or organizations are not eligible and foreign nationals are also ineligible unless affiliated with a U.S. institution or organization.

For Information Contact: Director
Division of Research and Publication
National Endowment for the Humanities
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE HUMANITIES - SENIOR FELLOWSHIPS

To help experienced interpreters of the humanities progress in their research and further develop their competence as teachers and scholars by providing support for uninterrupted full-time study.

The grants may be used for a project of study or research within the applicant's special interest, or for a program of general study in some other field that will help the applicant better understand his own field and become a more broadly informed humanist. The Endowment is interested both in studies that will contribute to better understanding of matters of current national concern and in more traditional studies. Musical composition or performance, painting, the writing of poetry or fiction, and other creative or performing activities in the arts are excluded from Endowment support.

Senior fellowships are open to those with considerable experience as scholars, teachers, writers, or interpreters of the humanities, who have produced significant original work. Applicants must be citizens of the United States or native residents of its territorial possessions.

For Information Contact: Director
Division of Fellowships and Stipends
National Endowment for the Humanities
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE ARTS - ARCHITECTURE AND DESIGN

To provide grants for projects, including research, in architecture, landscape architecture and environmental design.

The grants may be used for research, design projects, travel, some publication. There are no funds for construction or rehabilitation of facilities.

Grants are made to individuals and to non-profit, tax-exempt organizations. Ordinarily, individual grant awards are made only to U.S. citizens.

For Information Contact:
Director for Architecture and Design Programs
National Endowment for the Arts
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE ARTS - DANCE

To provide grants to assist dancers, choreographers, and dance organizations.

The grants may be used for the creation of new works, touring, workshops, criticism, management, national services, and dance films. There are no funds for construction or rehabilitation of facilities, general support, study abroad, scholarships, publications or research.

Grants are made to individuals and to non-profit, tax-exempt organizations. Ordinarily, individual grant awards are made only to U.S. citizens.

For Information Contact:
Director for Dance Programs
National Endowment for the Arts
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE ARTS - EDUCATION

To provide grants for special innovative projects in arts education.

The grants may be used for pilot projects, for a limited number of studies, for curriculum development in the arts. There are no funds for rehabilitation or construction of facilities.

Grants are made to individuals and to non-profit, tax-exempt organizations. Ordinarily, individual grant awards are made only to U.S. citizens.

For Information Contact: Director for Education Programs
National Endowment for the Arts
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE ARTS - LITERATURE

To provide fellowships for creative writers, and to support organizations devoted to development of the literary arts in America.

The grants are awarded for creation of new works, for bringing creative writers into secondary schools and developing colleges, for support of small literary magazines and presses throughout the country, for international conferences of writers hosted in the United States. There are no funds for construction or rehabilitation of facilities.

Grants are made to individuals and to non-profit, tax-exempt organization. Ordinarily, individual grant award are made only to U.S. citizens.

For Information Contact: Director
Literature Programs
National Endowment for the Arts
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE ARTS - MUSIC

To provide grants to assist musicians and to aid professional music institutions such as orchestras and opera companies.

These grants may be used for new works, touring, concert series expansion, special music education projects, and musicians' forums and institutes. There are no funds for construction or rehabilitation of facilities.

Grants are made to individuals and to non-profit, tax-exempt organizations. Ordinarily, individual grant awards are made only to U.S. citizens.

For Information Contact: Director of Music Programs
National Endowment for the Arts
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE ARTS - PUBLIC MEDIA

To provide grants in support of innovative arts programming on film, television and radio. The Endowment also supports the American Film Institute which carries out a large number of assistance programs for film.

The grants may be used for public media arts programming and experimental projects in film, videotape and sound recording.

Grants are made to individuals and to non-profit, tax-exempt organizations. Ordinarily, individual grant awards are made only to U.S. citizens.

For Information Contact: Consultant for Public Media Programs
National Endowment for the Arts
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE ARTS - THEATER

To provide grants to aid professional theater companies and organizations.

The grants to organizations are directed at resident professional and professional experimental theater companies, also at playwright's workshops, also for theater service organizations. There is no program of assistance to individual artists to date. There are no funds for construction or rehabilitation of facilities.

Grants are made to individuals and to non-profit, tax-exempt organizations. Ordinarily, individual grant awards are made only to U.S. citizens.

For Information Contact: Director for Theater Programs
National Endowment for the Arts
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

Program: PROMOTION OF THE ARTS - VISUAL ARTS

To provide grants to assist painters and sculptors, to offer some limited aid to photographers and craftsmen, to support museums and institutions devoted to the development of the visual arts in America.

The grants may be used for fellowships to individual painters, sculptors and photographers, for placement of works of art in public places, for workshops and for museum programs, which include grants to be used for purchase of works of art by living American artists, aid for special exhibitions, museum training, conservation and curatorial assistance. There are no funds for construction or rehabilitation of facilities.

Grants are made to individuals and to non-profit, tax-exempt organizations. Ordinarily, individual grant awards are made only to U.S. citizens.

For Information Contact: Director for Visual Arts Programs
National Endowment for the Arts
Washington, D.C. 20506

Legal Basis: National Foundation on the Arts and Humanities Act of 1965; P.L. 89-209 as amended by P.L. 90-348 and P.L. 91-346; 20 U.S.C. 961-3.

NATIONAL SCIENCE FOUNDATION PROGRAMS

Program: SCIENTIFIC RESEARCH PROJECTS

Grants to support research in science, engineering, and mathematics. On rare occasions research support may take the form of a contract rather than a grant; proposals directed at grants or contracts are prepared in an identical manner.

A research project grant may support either a specific research project or general research in a coherent area of science. Research support is given to the full spectrum of sciences.

Institutions are required to share in the cost of each research project supported by an NSF grant. Grants normally provide support for periods up to 24 months. Projects of high scientific merit may be apporved scientifically for periods up to 60 months and will be funded on an anndal basis for the term of the approval, contingent upon the availability of funds and the scientific progress of the research.

Proposals may be submitted by colleges and universities and by academically related non-profit research organizations.

For Information Contact: Division of Biological and Medical Sciences
Division of Engineering
Division of Environmental Sciences
Division of Mathematical and Physical Sciences
Division of Social Sciences
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203)

Program: ENGINEERING RESEARCH INITIATION GRANTS

Grants to encourage the development of meritorious graduate research programs by engineering faculty members. The usual duration of a grant will include the first summer, and the following academic year and summer. The grant amount will not normally exceed $20,000.

Proposals may be submitted by institutions of higher education that award graduate degrees in engineering on behalf of faculty members who:

(1) Are members of the teaching faculty;

(2) Have received the Ph.D. degree within the past three years (excluding active-duty time in the U.S. Armed Forces), or have completed all requirements for the Ph.D. degree;

(3) Have had no substantial research support.

For Information Contact:
Division of Engineering
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: DOCTORAL DISSERTATION RESEARCH

Grants to improve the scientific quality of dissertations in the social sciences and certain sciences involving extensive field work and to make possible the use of larger quantities of better quality data. Grants are awarded for periods up to 24 months. Grant funds may not be used as a stipend for the doctoral candidate, although he may receive support from other sources. In collaboration with the Office of Economic Opportunity, special grants are also awarded by the Foundation in support of doctoral thesis research centrally related to problems of poverty.

Proposals for the support of dissertation research in the social sciences (including science policy research), systematic biology, ecology, oceanography, earth sciences and atmospheric sciences and dissertation research on poverty may be submitted by universities on behalf of doctoral candidates. The proposal should be submitted by the dissertation advisor, department chairman, or chairman of the departmental committee on doctoral degrees.

For Information Contact:
Division of Biological and Medical Sciences,
Division of Environmental Sciences, or Division
of Social Sciences
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: SPECIALIZED RESEARCH FACILITIES AND EQUIPMENT PROGRAM

Grants for specialized research facilities and major items of research equipment.

Facilities supported under this program are those required for highly specialized scientific purposes, as distinct from laboratory buildings used in normal academic research programs. Examples are: nuclear reactors, controlled-environment biological laboratories, some marine research equipment and support facilities, mobile laboratories, off-campus research facilities, and unique one-of-a-kind research facilities. Grants may provide for construction or modernization of facilities.

Equipment support may be provided where a research tool is needed by several investigators in a department. Examples are: electron microscopes, mass spectrometers, cryogenic equipment, and special-purpose computers.

Institutions eligible to submit proposals are colleges and universities offering graduate studies (though in exceptional circumstances colleges and universities without graduate programs may be eligible), associations of colleges and universities, and nonprofit research institutions such as research museums.

For Information Contact: Division of Biological and Medical Sciences, Division of Engineering, Division of Environmental Sciences, Division of Mathematical and Physical Sciences, or Division of Social Sciences
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: SCIENCE POLICY STUDIES AND DEVELOPMENT

Grants to develop the Nation's capabilities for research and training in the area of science planning and policy; and to support doctoral dissertation research on national science policy issues. Examples of problems and subjects for such science policy research include: 1) The relation of current and future national problems and goals to science, technology, and the universities; 2) Alternate national goals and strategies for science and technology; 3) Resources for and uses of science and technology; 4) The policy process and institutions to perform, support and use science and technology; 5) Imporved criteria and methods to allocate resources for science and technology.

Activities eligible for support include: 1) Research projects concerning problems of science planning and policy and the methods and techniques appropriate thereto. This research, which often is interdisciplinary in character, may be conducted by faculty members and graduate students working either individually or in groups. 2) University Science Planning and Policy Development Grants to conduct coherent efforts involving a variety of research projects, research seminars and possibly the development of related curricula. Typically, junior and senior faculty members and graduate students would be involved together in these activities.

Proposals for Science Policy Grants may be submitted by responsible individuals at educational and nonprofit research institutions.

Proposals for University Science Planning and Policy grants may be submitted by colleges and universities that grant at least a baccalau-reate-level degree in science.

Proposals for Grants to Improve Doctoral Dissertation Research on Science Policy Problems may be submitted by universities on behalf of doctoral candidates.

For Information Contact: Science Policy Research Section
Division of Social Sciences
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L 91-120 (83 Stat 203).

Program: ARTIC RESEARCH PROGRAM

Provides support for academic research and to coordinate the Foundation program with those of other Federal agencies through Interagency Arctic Research Coordinating Committee (IARCC). This program was initiated in fiscal year 1971.

The Arctic Research Program will support projects of an interdisciplinary nature, including field investigations that require logistic arrangements and/or interagency or international cooperation, as well as the subsequent analysis of data.

The program of academic research will react to problems of the Arctic seas and pack ice, tundra ecosystems, geomagnetic phenomena, snow, ice and permafrost phenomena, and other scientific problems related to the physical and biological aspects of a cold-dominated environment, and man's impact upon them. Support is also given for Arctic science information activities.

Proposals for grants or contracts for research project support may be submitted by colleges and universities and by academically related nonprofit research organizations. Grants are normally made for a period of 12 months, but under certain circumstances can be made for periods up to a maximum of 60 months. Institutions are required to share in the cost of research projects supported by an NSF grant.

For Information Contact: Office of Polar Programs
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: U.S. ANTARCTIC RESEARCH PROGRAM

Grants to support research projects in all fields of science pertinent to the Antarctic, including both field work in Antarctica and study in the United States of specimens or data already gathered. On occasion research support may take the form of a contract rather than a grant.

The U.S. Antarctic Research Program supports research projects in the fields of behavioral sciences, biology, cartography, geology, glaciology, meterology, oceanography, solid-earth geophysics, and upper atmosphere physics.

Institutions are required to share in the cost of research projects supported by an NSF grant.

Grants are normally made for a period of 12 months, but under certain circumstances can be made for periods up to a maximum of 60 months. For projects of high scientific merit initial funding may be for two years with assurance of support for the full term of the project, contingent upon the availability of funds and the scientific progress of the research.

Proposals for grants or contracts for research project support may be submitted by colleges and universities and by academically related nonprofit research organizations.

For Information Contact: Office of Polar Programs
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: INTERNATIONAL DECADE OF OCEAN EXPLORATION

Grants and contracts for cooperative programs of ocean research and exploration with emphasis on environmental quality, environmental prediction, and seabed assessment. The program sponsors a small number of relatively large scientific problems especially susceptible to concerted effort by the research community. Emphasis is placed upon scientific excellence, development and testing of numerical models, state-of-the-art technology, management, and applicability of results. The Decade is unique in that it recognizes that a major share of world oceanographic effort must be devoted to globally planned and coordinated study of the ocean as a system, for the benefit of mankind.

For Information Contact: Office for the International Decade of Ocean Exploration
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: OCEAN SEDIMENT CORING PROGRAM

Grants sponsoring the acquisition of cores taken from below the floors of the deep ocean basins by means of rotary drilling through the sedimentary layer, with short penetrations into the crystalline basement at selected sites. Samples of the core material are made available to qualified scientists for individual research projects.

Proposals for grants for studies of the core material may be submitted by academic institutions, nonprofit organizations, and individual scientists.

For Information Contact: Office of National Centers and Facilities Operations
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: GLOBAL ATMOSPHERIC RESEARCH PROGRAM (GARP)

Grants to support research projects which involve the general circulation of the atmosphere and the physical basis of climate. Such research may improve the capacity of long-range weather prediction, and explore the feasibility of large-scale weather and climate modification.

Grants are normally made for periods up to 24 months. Projects of high scientific merit may be approved scientifically for periods up to 60 months, and will be funded on an annual basis for the term of the approval, contingent upon the availability of funds and the scientific progress of the research.

Institutions eligible to submit proposals under GARP are colleges and universities; nonacademic, nonprofit organizations; and individual scientists. Occasionally NSF sponsors supporting efforts by other Government agencies, particularly for field programs. Institutions are required to share in the cost of their research projects supported by an NSF research grant; this may be accomplished by a contribution to any cost element in the project, direct or indirect.

For Information Contact: Division of Enivronmental Sciences
National Science Foundation
Washington, D.C. 20550

Legal Basis: 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: INTERNATIONAL BIOLOGICAL PROGRAM

Grants to support research projects that are part of the U.S. participation in the International Biological Program (IBP). The theme of IBP is the study of "the biological basis of productivity and human welfare," and the major portion of the program is in the area of ecosystem analysis.

Institutions are required to share in the cost of each research project supported by an NSF research grant; this may be accomplished by a contribution to any cost element in the project, direct or indirect.

For Information Contact: Division of Biological and Medical Sciences
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: OCEANOGRAPHIC FACILITIES AND SUPPORT

Grants or contracts for support of construction, modification, conversion, purchase, and operation of oceanographic facilities which lend themselves to shared usage. Community arrangements for shared use of these facilities are being developed under the University National Oceanographic Laboratory System (UNOLS).

The Foundation encourages local contributions from non-Federal funds whenever possible; however, there is no fixed requirement as to the amount of funds that institutions must contribute.

Institutions qualifying to operate shared facilities will need to demonstrate the logistic capability to carry out all related tasks. Operator institutions may include colleges and universities, nonprofit research institutions, and associations of colleges and universities.

For Information Contact: Office for Oceanographic Facilities and Support
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: RESEARCH APPLICATIONS

Grants to stimulate research efforts more immediately and directly related to problems of society and the environment.

Institutions are required to share in the cost of each research project supported by an NSF grant; this may be accomplished in accordance with the institution's cost-sharing policies. Before submitting a proposal for research support, descriptive brochures on the RANN program and the Intergovernmental Science Programs should be consulted.

Proposals may be submitted by colleges and universities and nonprofit organizations, including State and local governments. These proposals may provide for collaborative arrangements with other universities, nonprofit and/or profit-making organizations.

For Information Contact: Division of Environmental Systems and Resources,
Division of Social Systems and Human Resources,
Division of Advance Technology Applications,
Office of Exploratory Research and Problem Assessment
or Office of Intergovernmental Science Programs
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: GRADUATE FELLOWSHIPS

Graduate Fellowships are awarded for study or work leading to a master's or doctoral degree in the mathematical, physical, medical, biological, engineering, and social sciences and in the history and philosophy of science. Awards will not be made in clinical, education, or business fields, nor in history or social work, nor for work toward medical or law degrees.

Graduate Fellowships are awarded on the basis of the applicant's ability as evidenced by academic records, letters of recommendation, and scores obtained in examinations designed to measure scientific aptitude and achievement.

Fellowships are awarded for full-time study or research at appropriate nonprofit U.S. or foreign institutions of higher education.

Graduate Fellowships are to be offered only to individuals who: (1) are citizens or nationals of the United States; (2) have not completed more than one year of graduate study by the fall of the first year of fellowship; (3) have demonstrated ability and special aptitude for advanced training in the sciences; and (4) have been or will be admitted to graduate status by the institution selected.

For Information Contact: Division of Graduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: GRADUATE TRAINEESHIPS

Grants that enable universities to provide Graduate Traineeships in the mathematical, physical, medical, biological, engineering, and social sciences, and in the history and philosophy of science. Awards will not be made in clinical, social work, nor for work toward medical or law degrees.

Institutions eligible to submit proposals for Graduate Traineeships are universities that confer doctoral degrees in science.

Proposals are submitted on behalf of departments of science or engineering, and a separate proposal is required for such department or comparable unit.

To be eligible for tenure under a Graduate Traineeship an individual: (1) must be a citizen or national of the United States; (2) must be enrolled in a program leading to an advance degree in science; and (3) must be affiliated with the institution at which he receives his appointment.

For Information Contact: Division of Graduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: NORTH ATLANTIC TREATY ORGANIZATION (NATO) POSTDOCTORAL FELLOWSHIPS IN SCIENCE

In cooperation with the Department of State, the National Science Foundation awards NATO Postdoctoral Fellowships in Science for scientific study or work in mathematics, the sciences (physical, biological, medical, and social), engineering, or interdisciplinary areas. Fellowships are not awarded for support of work toward the M.D., D.V.M., or D.D.S. degrees, nor for support of residency training or similar work leading to qualification in a clinical field.

Evaluation of applicants will be based on their academic records, letters of recommendation, and ability to carry out the activities program. Consideration is also given to proposed fellowship activities that promote international science cooperation.

NATO Postdoctoral Fellowships in Science, awarded by the National Science Foundation, are offered only to individuals who: (1) are citizens or nationals of the United States; (2) have demonstrated ability and special aptitude for advanced training in the sciences; (3) have a doctoral degree in one of the qualifying fields of science; or have had scientific training and research experience equivalent to that represented by the science doctorate; or have a degree such as M.D., D.D.S., or D.V.M. and desire to obtain further training for a career in research.

For Information Contact: Division of Graduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: NORTH ATLANTIC TREATY ORGANIZATION (NATO) SENIOR FELLOWSHIPS IN SCIENCE

In cooperation with the Department of State, the National Science Foundation awards NATO Senior Fellowships in Science for the study of new scientific techniques and developments at nonprofit research and educational institutions in other NATO nations, or in countries cooperating with NATO. Awards are made for study or work in mathematics, the sciences (physical, biological, medical, and social), engineering, or interdisciplinary areas. Fellowships are not awarded in clinical, education, or business areas.

Any U.S. educational institution that offers a postbaccalaureate degree in one of the sciences, or any nonprofit scientific research insitution, may nominate for an award a staff member who: (1) is a citizen or national of the United States; (2) has a professional standing in the field with which his fellowship would be concerned; (3) has had at least five year's experience in research, teaching, or relevant professional work; and (4) has linguistic abilities necessary for profitable discussion with colleagues in the countries he proposes to visit. The institutional nomination form requires a statement, from the president or other appropriate official of the nominating institution, showing the expected benefits to the institution if the fellowship were awarded.

For Information Contact: Division of Graduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: NORTH ATLANTIC TREATY ORGANIZATION (NATO) ADVANCED STUDY INSTITUTE PARTICIPANT GRANTS

Grants to enable U.S. scientists to attend certain NATO Advanced Study Institutes. These meetings, held usually during the summer and varying in length from one to eight weeks, permit exhaustive treatment of a given scientific topic by individuals whose reputations are worldwide.

Each year the National Science Foundation selects certain institutes to receive support for participant-travel and invites the institute director to recommend U.S. participants for such awards. The Foundation then invites the recommended participants to apply for international travel grants.

To be eligible to receive an NSF international travel grant to attend a NATO Advanced Study Institute, an individual must be: (1) a citizen or national of the United States, and (2) an outstanding young scientist (graduate or recent postdoctoral student).

In addition, individual institutes have specific academic prerequisites for admission. Their announcements should be consulted for details.

For Information Contact: Division of Graduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: ADVANCED SCIENCE EDUCATION PROGRAM

Grants to upgrade the quality of science instructional programs at the graduate level and to identify and support new approaches for improving graduate science education. No specific criteria are established; creative and novel approaches are encouraged.

Institutions eligible to submit proposals for Advanced Science Education are universities and colleges, and other appropriate nonprofit organizations or professional scientific societies.

Proposals may be submitted at any time. The period of time required for processing a proposal varies greatly; some proposals require six months or more before a decision can be reached.

For Information Contact: Division of Graduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: SUMMER INSTITUTES FOR COLLEGE TEACHERS

Grants to support summer institutes in advanced-level science, mathematics, and engineering courses for college teachers. Such courses permit exploration in depth of those areas that may have become particularly significant for the reorganization and strengthening of the college curriculum. The duration of the summer institute varies considerably, but the average is between six and seven weeks.

Institutions eligible to apply for grants to support summer institutes are normally colleges and universities with graduate programs where staffing, laboratories, and libraries are adequate for the advanced nature of the work.

To be eligible to participate in Summer Institutes for College Teachers an individual must be a U.S. college teacher of one of the sciences (biological, medical, physical, or social), mathematics, or engineering. Teachers at junior or community colleges or technical schools are eligible. A limited number of college teachers who are foreign nationals may be accepted as participants in these institutes.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: SHORT COURSES FOR COLLEGE TEACHERS

Grants for short courses in science, mathematics, and engineering for college teachers. The courses are under the direction of highly competent research scientists who provide specialized short-term instructional programs (less than four weeks' duration) covering recent advances in selected areas of their scientific fields.

Institutions eligible to apply for grants to support short courses are normally colleges and universities with graduate programs where staffing, laboratories, and libraries are adequate for the advanced nature of the work.

To be eligible to participate in Short Courses for College Teachers an individual must be a U.S. college teacher of one of the sciences (biological, medical, physical, or social), mathematics, or engineering. Teachers at junior or community colleges or technical schools are eligible.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: STUDENT-ORIGINATED STUDIES

Grants in a competitive program for the support of student-originated studies of environmental problems. The program seeks to advance two basic objectives: (1) to encourage serious students of science to express in productive ways their growing concern for the environmental well-being of the Nation; and (2) to provide support for groups of college and university students who can demonstrate their readiness to assume increasing responsibility for their own educational development.

Groups of science students in four-year colleges and universities are eligible to apply for Student-Originated Studies (SOS) grants. Guidelines are being kept as brief and straightforward as possible to permit maximum diversity and flexibility in the projects proposed. A group of students wishing to ally themselves for a summer's work of 10 to 12 weeks must submit a proposal describing the project they envision.

Students not affiliated with a group applying for SOS support may be accepted for one of the projects supported by the Foundation. A list of the projects that will operate each summer will be mailed to individual inquirers in March. Such individuals must then apply to the Student Project Director of the activity in which they are interested to ascertain what vacancies are available; learn what talents, qualities, or prerequisities are required by the project; secure application materials, and the like. Individual participants will be selected by local project officials--not by the National Science Foundation.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: UNDERGRADUATE RESEARCH PARTICIPATION

Grants that provide undergraduate students with research or independent study opportunities under the guidance of competent reserach directors.

Undergraduate Research Participation grants are awarded for full-time projects of at least ten weeks' duration. Part-time academic year projects are no longer supported.

Organizations eligible to apply for an Undergraduate Research Participation grant are four-year colleges, universities, and nonprofit institutions.

To be eligible to participate in an Undergraduate Research Participation project an individual must be a full-time undergraduate student and be well-grounded in science. A student may apply for full-time projects at institutions other than the one he attends, and for projects in disciplines other then his major field.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: TECHNICAL EDUCATION DEVELOPMENT PROGRAM

Grants to assist in expansion and improvement of post-secondary technician education programs in the United States. Grants are made in two major categories of activity: (1) Support to technical and professional organizations, institutions, or ad hoc groups of competent technicians and scientists, to assist in the development and testing of new instructional patterns and curricula that will enable technical education programs to keep pace with the changing needs of the industrial-scientific complex; (2) A pilot program of institutional support for coherent technician education program development and implementation, via a limited number of grants to institutions offering formal curriculums for technician training, which will serve to establish criteria and guidelines and provide models for broader development in technician-training institutions throughout the Nation.

The institutional support program is open to all nonprofit (2-year or 4-year) instiutions offering programs for the training of individuals who will become a part of the corps of backup personnel directly supporting the work of scientists and engineers.

Support of such programs in proprietary schools or other for-profit institutions will be considered, where such organizations have special capabilities.

Individual institution support for technician education program development and implementation is restricted, until further notice, to those programs providing technical backup for physical scientists and engineers. Support to technical or professional organizations, etc., for curriculum materials development is not restricted to physical science and engineering.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: PRE-SERVICE EDUCATION PROGRAM

Grants to improve programs for the preparation of prospective pre-college science teachers, by emphasizing both increased knowledge of the subject matter and greater skill in organizing and presenting course materials. The objectives of the program are to develop the type of curricular change at colleges which will increase the scientific competence of graduates and at the same time provide the pedagogical preparation essential to their performance as teachers of science.

Projects under the Pre-Service Teacher Education Program (PSTEP) may include any activity or combination of activities calculated to improve the preparation of undergraduate students for careers as elementary or secondary school science teachers. A proposal should show that both education and science departments will be jointly involved in producing graduates who are thoroughly prepared both substantively and pedagogically to become science teachers.

Institutions eligible to submit proposals under PSTEP are four-year colleges and universities that have, or are actively planning, elementary or secondary school teacher education programs in the sciences. Proposals may also be submittee by existing or ad hoc consortia of instutions.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: COLLEGE SCIENCE IMPROVEMENT PROGRAM A: INDIVIDUAL INSTITUTIONAL PROJECTS IN 4-YEAR COLLEGES

The primary purposes of Program A (COSIP) are to accelerate development of the science capabilities of predominantly undergraduate institutions and to enchance their capacity for continuing self-renewal. In order to improve the full range of undergraduate education in the sciences and to expand opportunities for undergraduates to become interested in scientific careers as scientists or as science teachers at the elementary, secondary and college level, or to develop the kind of understanding of science and its interactions with society that must be characteristic of educated nonscientists, COSIP aims to have beneficial effects on professors and students, subject matter and methods of instruction, curricula and individual courses, facilities, equipment, and teaching materials. A proposal will be expected to present a coherent and realistic plan for improving science activities at the undergraduate level.

Both new and established institutions are eligible for support.

1. New institutions. Eligibility begins one calendar year prior to the institution's formal initiation of classes for its first group of matriculated students.
2. Established Institutions. Colleges and universities that have strong baccalaureate programs in the sciences, and that did not grant more than 10 Ph.D. degrees in the sciences during the academic years 1961-62 to 1963-64 inclusive, to institutions awarding 100 or more science baccalaureates in the most recent three-year period for which data are available.

Proposals may be submitted at any time; processing requires approximately six to nine months.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: COLLEGE SCIENCE IMPROVEMENT PROGRAM B: INTERINSTITUTIONAL PROJECTS IN 4-YEAR COLLEGES

The primary purposes of Program B, as in Program A, are to accelerate development of the science capabilities of predominantly undergraduate institutions and to enchance their capacity for continuing self-renewal. In order to improve the full range of undergraduate education in the sciences and to expand opportunities for undergraduates to become interested in scientific careers as scientists or as science teachers at the elementary, secondary or college level, or to develop the kind of understanding of science and its interactions with society that must be characteristic of educated nonscientists, this program aims to have beneficial effects on professors and students, subject matter and methods of instruction, curricula, and individual courses, facilities, equipment, and teaching materials. A proposal will be expected to present a coherent and realistic plan for improving science activities at the undergraduate level.

This program is intended for projects that are, for academic and/or economic reasons, clearly more appropriately carried out by a group of institutions acting together than by an individual institution acting alone.

Formal and ad hoc associations or consortia of four-year colleges and universities are eligible to submit proposals for interinstitutional projects.

Institutions eligible to participate as a member of a group are four-year colleges and universities with baccalaureate programs in the sciences that have not granted more than 10 Ph.D. degrees in the sciences during academic years 1961-62 to 1963-64 inclusive. However, a university that has exceeded that number may serve as advisor to a group of eligible institutions.

Proposals may be submitted at any time; processing requires approximately six to nine months.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: COLLEGE SCIENCE IMPROVEMENT PROGRAM C: COOPERATIVE PROJECTS FOR 2-YEAR COLLEGES

Grants to accelerate development of the science, mathematics, and engineering capabilities in regional groupings of two-year colleges. Proposals should contain a coherent and realistic plan for improving the preparation of college students for careers in science or science teaching. A consortium of two-year institutions is to participate with a nearby college or university to accelerate faculty development and related course content improvement. Ordinarily each proposal is to deal with a single science discipline, and any one department in a given two-year college may not be involved concurrently with the Foundation's support in more than one cooperative project.

The cooperative four-year institution preferably is one that grants the master's degree or Ph.D in the appropriate science field. It serves as the grantee institution and contributes leadership to the project. Two-year colleges eligible to participate are those that offer college-parallel courses in science for transfer credit.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: COLLEGE SCIENCE IMPROVEMENT PROGRAM D: PROJECTS FOR HISTORICALLY BLACK COLLEGES

The primary purposes of the program are to accelerate development of the undergraduate science capabilities of historically or traditionally Negro institutions and to enhance their capacity for continuing self-renewal. In order to improve the full range of undergraduate education in the sciences and to expand opportunities for undergraduates to become interested in scientific careers as scientists, or as science teachers at the elementary, secondary or college level, or to develop the kind of understanding of science and its interactions with society that must be characteristic of educated nonscientists, COSIP aims to have beneficial effects on professors and students, subject matter and methods of instruction, curricula and individual courses, facilities, equipment, and teaching materials. A proposal will be expected to present a coherent and realistic plan for improving science activities at the undergraduate level. Two types of projects, one for individual institutions and one for groups of institutions are supported.

This program is open to all science baccalaureate-granting historically or traditionally Black Colleges and Universities in the United States.

An institution is eligible to participate in an Interinstitutional Project even though it is active in other consortia supported by this program (within the limits given below) and/or has an Individual Institutional Project proposal pending or grant in force. A single department may not, however, participate in more than one interinstitutional project, and a single institution may not participate in more than three such projects.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis:PL81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: VISITING SCIENTISTS (COLLEGES)

Grants to provide for visits of productive and creative scientists to colleges and small universities for two to three days to give lectures; hold seminars; confer with students, administrators, and instructors; and to aid in other ways in motivating students toward the pursuit of careers in science and teaching science. The program is directed primarily to those colleges and universities in which educational opportunities are more limited than in larger or more amply equipped institutions.

Organizations eligible to submit proposals for the Visiting Scientists (Colleges) program are national scientific and professional societies in the sciences (biological, physical, and social), engineering, and mathematics.

Institutions eligible to obtain visits by visiting scientists are junior colleges, technical schools, four-year colleges, and universities.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: UNDERGRADUATE SCIENCE COURSE IMPROVEMENT

Grants for projects to improve science education, course content and curricula in the biological, engineering, mathematics, physical, and social sciences, in the history and philosophy of science, and in interdisciplinary approaches to the above areas.

Only projects which promise significant improvement in undergraduate science education on a national level will be supported. Local projects cannot be supported unless their novelty and implications as a model are exceptional.

Institutions eligible to submit proposals for Undergraduate Science Course Improvement are colleges, universities, and other nonprofit institutions and organizations.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81 507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: UNDERGRADUATE INSTRUCTIONAL SCIENTIFIC EQUIPMENT

Grants to assist institutions of higher education to significantly improve science curricula at the undergraduate level by providing funds to purchase instructional equipment needed to implement the improvement. Not more than 50 percent of the cost of the equipment will be funded by the Foundation, and the institution's matching funds must be derived from non-Federal sources.

Institutions eligible to submit proposals for Undergraduate Instructional Scientific Equipment are junior colleges, and universities.

For Information Contact: Division of Undergraduate Education in Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: COMPUTER INNOVATION IN EDUCATION PROGRAMS

Grants to support the exploration and development of innovative uses of the computer in education. The objectives of support through these programs include (1) the exploration and development of computer technology and techniques of potential application to education; (2) the exploration, development, and evaluation of computer-oriented instructional concepts and curricular materials; and (3) the exploration and development of various models for the dissemination of computer-based concepts, curricular materials, programs, and techniques.

Grants are awarded on a competive basis to consortia of institutions which typically include a major university, or equivalent, and a number of participating institutions in proximity to each other. Other designs, including State-wide educational computing networks, are acceptable. Institutional support at a level adequate to be self-sustaining following an award is a criterion in the consideration of proposals.

The program provides support for cooperative teacher-training programs designed to introduce and raise the level of sophistication in computer-use technology and provide training in the development of discipline-oriented instructional computer applications. In support of the training activities, the program includes partial support for remote computer service supplied to each participating institution. A provision to facilitate the transfer and dissemination of information and materials developed should be part of the cooperative plan.

For Information Contact: Office of Computing Activities
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: INSTITUTIONAL GRANTS FOR SCIENCE PROGRAM

Grants for broad institutional use to colleges and universities, based on Federal research awards from any one of the Federal departments or agencies reporting obligations to the Committee on Academic Science and Engineering. These are flexible funds for use at the discretion of the institution to strengthen and balance science programs of research and education. The funds may not be used for indirect costs.

Institutions eligible to apply for grants under the Institutional Grants for Science Program are colleges and universities receiving research awards, excluding those of the Public Health Service, during the previous year (July 1-June 30). Grants made by the Foundation through its programs of Undergraduate Research Participation and Research Participation for College Teachers also establish eligibility for Institutional Grants and are included in the base for their computation.

For Information Contact: Institutional Grants for Science Program
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: SCIENTIFIC CONFERENCE GRANTS

Grants to support conferences and symposia that bring together leading scientists who are pioneering in new or incompletely explored fields of science.

Proposals for support for scientific conferences may be submitted by colleges and universities, nonprofit research institutions, or scientific or professional societies. Concomitant support by several Federal agencies or private organizations is permissable.

For Information Contact: Division of Biological and Medical Sciences; Division of Engineering; Division of Environmental Sciences; Division of Mathematical and Physical Sciences; Division of Social Sciences; Office of Computing Activities; Office of Science Information Service; Office for the International Decade of Ocean Exploration; Office of Polar Programs; Office of International Programs; Office Exploratory Research and Problem Assessment; or Office of Intergovernmental Science Programs
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: SCIENCE INFORMATION SERVICE

Grants and contracts to improve the dissemination of scientific information. Foundation support may be provided for the following activities: (1) Development and improvement of information systems; (2) Operational support for information systems and services, and the publication of results of original research, including journals and monographs; production and publication of abstracts, indexes, and other bibliographic aids; and (3) Research in science information,, including both theoretical and applied aspects.

Institutions eligible to submit proposals are professional scientific and technical societies, universities and colleges, and organizations both for profit and not for profit. Organizations that plan to submit proposals are encouraged to discuss their ideas informally with the appropriate staff members before preparing formal proposals.

For Information Contact: Office of Science Information Service
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507, amendments through July 18, 1968, P.L. 90-407. Title IX, P.L. 85-864, amended by P.L. 90-407. Executive Order 10900, January 5, 1961, section 4(d)(11).

Program: SPECIAL FOREIGN CURRENCY PROGRAM

Grants to support scientific activities overseas which will incur costs payable in the currencies of Burma, Guinea, India, Morocco, Pakistan, Polan, Tunisia, the United Arab Republic (Egypt), or Yugoslavia. These activities are comprised of two categories: research, science education, and related activities; and science information activities. They utilize foreign currencies which the Treasury Department has determined to be in excess of the normal requirements of the United States.

Organizations eligible to submit proposals are nonprofit higher educational institutions, scientific institutes, scientific and technical societies and associations, and similar organizations, both nonprofit and profit-making, chartered or otherwise authorized to conduct business in the United States or in the cooperating country. Scientists affiliated with any of the above organizations may apply for support.

For Information Contact: Special Foreign Currency Program
Office of International Programs or Office of Science
Information Service, as appropriate
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

Program: PUBLIC UNDERSTANDING OF SCIENCE

The National Science Foundation considers one of its important responsibilities to be the development of a greater public understanding of science. In addition to fostering public understanding of science as part of many grant programs, the Foundation has a special program of Public Understanding of Science seeking to bring direct focus and support to this area. Central to the purpose of this program is the enhancement of citizen knowledge and understanding of both the potentials and limitations in the use of science and technology in meeting current and emerging societal problems.

Institutions eligible to submit proposals are colleges, universities and independent, nonprofit organizations.

For Information Contact: Office of Public Understanding of Science
National Science Foundation
Washington, D.C. 20550

Legal Basis: P.L. 81-507 (64 Stat 149), as amended by P.L. 91-120 (83 Stat 203).

VETERANS ADMINISTRATION PROGRAMS

Program: VETERANS EDUCATIONAL ASSISTANCE (GI BILL)

To make service in the Armed Forces more attractive by extending benefits of a higher education to qualified young persons who might not otherwise be able to afford such an education; restore lost educational opportunities to those whose education was interrupted by active duty after January 31, 1955.

The veteran may select a program of education to assist him in attaining an education, professional, or vocational objective at any approved educational institution he chooses which will accept him as a student or trainee. The Administrator will not approve enrollment in certain courses, basically those he finds avocational or recreational in character. A veteran who must complete high school training to qualify for higher education may receive educational assistance without charge to his basic entitlement.

The veteran must have served honorably on active duty for more than 180 days, part of which occurred after January 31, 1955 or who was discharged after such date because of a service-connected disability. A serviceman who continues on active duty is also eligible. Upon completion of 18 months of active duty, the maximum of 36 months of educational assistance will be granted, otherwise assistance will be provided for at the rate of 1-1/2 months for each month of service.

For Information Contact: Veterans Administration
Washington, D.C. 20420

Legal Basis: 38 U.S.C. 1651.

BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS PROGRAMS

Program: EDUCATIONAL EXCHANGE - GRADUATE STUDENTS (FULLBRIGHT-HAYS PROGRAM)

This program provides for the improvement and strengthening of the international relations of the United States by promoting better mutual understanding among the peoples of the world through educational exchanges.

The grants are designed to give U.S. students the opportunity to live and study in a foreign country for 1 academic year with possible renewals or extensions. Grants specify terms and conditions, to meet the educational goals proposed by the grantee and approved by the Board of Foreign Scholarships in making the award.

Full Grants: Round trip transportation, language or orientation course (where appropriate), tuition, books, maintenance for 1 academic year in one country, and health and accident insurance.

Travel Grants: The grants supplement maintenence and tuition scholarships which do not cover the cost of transportation, granted to American students by universities, private donars, and foreign governments. Opportunities of special interest; primarily teaching assistantships in English at selected countries.

Eligibility is based on: (a) U.S. citizenship at the time of application; (b) with certain exceptions, B.A. degree or its equivalent before the beginning date of the grant; (c) candidates may not hold a doctoral degree at the time of application; (d) applicants must have received the majority of their high school and their undergraduate college education at educational institutions in the United States; (e) language proficiency sufficient to communicate with the people of the host country and to carry out the proposed study; (f) language proficiency is especially important for students wishing to undertake projects in the social sciences and the humanities; and (g) good health.

For Information Contact: Institute of International Education
809 United Nations Plaza
New York, N.Y. 10017

Legal Basis: Public Law 87-256; as amended; 22 U.S.C. 2451 et seq.

Program: EDUCATIONAL EXCHANGE - UNIVERSITY LECTURERS (PROFESSORS) AND RESEARCH SCHOLARS (FULLBRIGHT-HAYS PROGRAM)

Provide for the improvement and strenghtening of the international relations of the United States by promoting mutual understanding among the peoples of the world through educational exchanges.

Grants for professors (university lecturers) and research scholars are usually for a full academic year, and generally tenable in one country. The lectureships permit the grantees to lecture or serve as visiting professors in institutions of higher learning. The research grants offer opportunities for U.S. citizens to undertake postdoctoral research at overseas universities, colleges, and certain research centers and institutes.

Grants specify terms and conditions, to meet the educational goals proposed by the grantee and approved by the Board of Foreign Scholarships in making the award.

Individual grants generally include round-trip transportation, maintenenace allowances payable in foreign currency where available, and a small incidental allowance for travel, books and services essential to the assignment. Lecturer for countries except Western Europe usually receive a supplemental dollar allowance based on number of dependents. No travel allowance is available for dependents.

Eligibility is based on: U.S. citizenship at the time of application; for lecturing: college or university teaching experience at the level for which application is made. For research: a doctoral degree or, in some fields, recognized professional standing as demonstrated by faculty rank, publications, compositions, exhibition record, concerts, etc., (candidates for a doctorate and persons wishing to undertake additional professional training abroad should write to the Institute of International Education, 809 United Nations Plaza, New York, N.Y.]0017).

For Information Contact: Committee on International Exchange of
Persons, Conference Board of Associated
Research Councils
2101 Constitution Avenue
Washington, D.C. 20418

Legal Basis: P.L. 87-256, as amended; 22 U.S.C. 2451 et seq.

Senator PELL. Our next witness is Cary Potter, who is President of both the National Association of Independent Schools, and of the newly founded Council for American Private Education.

I believe this is the first public appearance of the council and I would like to congratulate you and your group for coming together as a new organization.

I understand you have a statement? I think it would probably be best if we heard all statements in turn, and then we will go into questions afterwards.

Before you proceed, I would like to read into the record a statement from your old roommate, Senator Peter Dominick. He has written me this letter:

> Mr. Chairman and Subcommittee Members. Due to an unavoidable scheduling conflict, I have a previous commitment to be in New York on the morning of December 2, 1971. This conflict is particularly unfortunate as I had anticipated the honor of introducing and hearing the testimony of my great friend, classmate and ex-roommate, Cary Potter.
>
> The situation being what it is, I am indeed pleased to introduce, albeit in absentia, a most able advocate for the cause of non-public education, Cary Potter. I recommend that my colleagues pay special attention to his testimony as he brings to this hearing experience gained through a most noteworthy and committed career in independent school education. His recent career has seen him progress from Assistant Headmaster at the Roxbury Latin School to the position of Executive Secretary of the National Council of Independent Schools to the Presidency of the National Association of Independent Schools.
>
> He appears before you today as the Chairman of the Council for American Private Education.

Mr. POTTER. Thank you, Mr. Chairman. I appreciate Senator Dominick's introduction. I am sure it is the nicest thing that Senator Domnick has said to me in many a year. Thank you, sir.

Senator PELL. Would you introduce your colleagues?

STATEMENT OF GARY POTTER, A. D. AYRAULT, JR., DR. PAUL SENSKE, REV. FRANK H. BREDEWEG, FATHER PATRICK FARRELL, DR. EDWARD R. D'ALESSIO, RABBI GOLDENBERG, REV. JOHN PAUL CARTER, AND JOHN BLANCHARD, REPRESENTING THE COUNCIL FOR AMERICAN PRIVATE EDUCATION; A PANEL

Mr. POTTER. Yes, sir; and I will mention the organizations which are the charter members of this association, most of whom are represented here today, and some of whom will be represented in testimony.

The participating organizations are:

The Board of Parish Education of the Lutheran Church—

Missouri synod; represented here by Dr. Al H. Senske, who is sitting behind me.

The Friends Council on Education, represented by Mr. Thomas Brown.

The National Association of Episcopal Schools, represented by the Reverend John Paul Carter.

The National Association of Independent Schools, which I am representing as well.

The National Catholic Educational Association, represented by the Reverend Frank Bredeweg, seated on my left.

The National Society for Hebrew Day Schools, represented by Rabbi Bernard Goldenberg, who is sitting behind me on the right.

The National Union of Christian Schools, which is not represented here today.

And the U.S. Catholic Conference, represented by Dr. Edward D'Alessio, seated on my right.

Senator PELL. This covers a broad spectrum of both religious and nonreligious schools.

Mr. POTTER. Yes, it does. We have attempted to make the CAPE organization as broadly representative as possible. We estimate that of the total enrollment in nonpublic schools, approximately 96 or 97 percent are represented in the organizations that form a part of this new enterprise.

Senator PELL. Do you have a rough idea of how it would break down between the various groups? How many of your schools are nonchurch-related, what percentage would be church-related?

Mr. POTTER. Connected with my statement, there is an exhibit based on statistics which, though somewhat dated, would indicate that situation well.

Senator PELL. Also, the table that Mr. Kurzman submitted had this information in it.

Mr. POTTER. All right, sir.

I should say that there are other groups of nonpublic schools that are not members of the council at this particular time, though representatives of some of them have been meeting regularly with the steering committee which helped to form the organization, and they will be welcome as members at such time as they wish to join.

One of those associations is the National Association of Christian Schools, represented here by Dr. John Blanchard. Also welcomed will be representation from the Free Community Schools, which represent a new and important expression of independence in the history of American nonpublic education.

To indicate the nature of the intent of those forming this organization, I would like to read excerpts from the statement of purposes of its articles of incorporation:

> To assist and strengthen the efforts of the organizations constituting the corporation's membership and the private schools represented by such organizations to serve effectively the free society from which they derive their independence by:
>
> (*a*) providing a framework for communication and cooperation between various groups of private elementary and secondary schools, between these private schools and their public school counterparts, and between private schools and various branches of the Federal, State and local governments, and other national educational organizations;
>
> (*b*) encouraging a vigorous diversity in education to match our country's heritage of pluralism, taking care that the welfare and spirit of the whole society are enhanced in the process;
>
> (*c*) enhancing opportunities for more families to have a realistic choice among schools for their children;
>
> (*d*) encouraging a broad public commitment to excellence in education.

At this point I would like to present a few basic statistics on the private sector of elementary and secondary education simply to define as best I can its dimensions. I must preface these comments by pointing out that accurate current statistics are difficult to come by, partly because of faulty communication between the schools and various statistic-gathering agencies like the States and the U.S. Office of Education, partly because the U.S. Office of Education has seldom had the funds to or the personnel to do the job other than sporadically, and partly because State agencies are not always equipped or set up to provide them.

The figures I shall present are drawn from several sources and are of different dates. The last complete breakdown of nonpublic school statistics published by USOE was for 1965–66. Overall enrollment figures are not available for 1968–69. A more current survey for 1970–71 has not appeared yet.

From this mix of sources and from certain information supplied by the CAPE organizations, present the following:

> Total enrollments for 1965–66, 6.3 million; 1968–69, 5.7 million; and an estimate for 1970–71 based on the continuing decline in Catholic enrollments would be about, somewhere in the neighborhood of 5.5 million.

According to the 1965–66 figures based on the total population of 6.3 million, approximately 5.9 million were in church-related schools and about 341,000 in non-church-related schools. There is, as I indicated, a State-by-State breakdown of these figures attached to my statement.

Employment of teachers: This segment of education reported the employment of somewhat more than 223,000 teachers—1968–69.

The total expenditures of the private sector for elementary and secondary education is a figure that is at best an estimate. According to the U.S. Office of Education, the 1970–71 estimate was $5 billion (USOE—Digest of Educational Statistics, 1970 edition.) With minor exceptions, these funds are derived from private sources, including a combination of tuition, voluntary gift support, and church subsidies.

A word about the financial situation as it is today.

It is difficult to generalize on the financial situation of a group of schools as widely diverse as this, where methods of funding and costs per student vary greatly with the type of school and mode of operation.

One can say, on the basis of statistics for one group of schools, that in the past 10 years costs per student have almost doubled as a result of a combination of several factors, including the rapid rise in salaries, the need for more financial aid to students who can pay little or no tuition, the increasing costs of education arising from a more complex curriculum and method, and the crunching force of inflation in the last 5 years of the decade when the cost-of-living index was going up at an average of 5.2 percent per year, as opposed to 1.6 percent in the first 5 years.

In short, the situation in general is similar to that of all education, with the closest parallel being that of the private colleges, but with the important difference being that at the school level, unlike the college, there is almost total reliance on private sources for the support of both new and existing programs, for financial aid for the needy student.

And we have currently the added burden of the slowed economy which has curtailed the ability of parents both to pay tuition and contribute greater voluntary support. The most acute pressure is on those schools which face not only this combination of pressures, but also the one of having to replace religious personnel who had provided a major share of the subsidy with lay teachers.

Thus, the general situation suggested by the statistics is one which can be summed up by the word "jeopardy." The overall enrollment trend is down, despite exceptions in some segments; the financial squeeze is pressing, various kinds of curtailment, ranging from inability to undertake needed new programs to curtailment of existing programs and to closing of schools, are on the increase.

"Jeopardy" is the term used by Alan Pifer, president of the Carnegie Corp., in a part of his last annual report, entitled "The Jeopardy of Private Institutions." In speaking about private institutions of all kinds, schools, colleges, hospitals, museums, welfare agencies and the like, he points to the financial squeeze and the erosion in growth in the essential quality of the "cutting edge" without which institutions atrophy.

And he points to the danger of taking for granted the continued viability of private institutions as a part of our national resources.

> The case for a combined public/private system can no longer be assumed to rest on some sort of divine law.
>
> It must be explicitly examined and stated.

Now a word about our testimony here today. We do not expect to present orally a statement from each of the participating organizations, but each has been invited to present a written statement, either here at this hearing or subsequently for the record.

Senator PELL. Which will be printed in full in this hearing.

Mr. POTTER. Mr. Chairman, may I say that there are one or two organizations who are not here to whom we would like to extend an invitation to submit statements for the record, if that meets with your approval.

Senator PELL. The record will stay open for 2 weeks after the hearing we plan to have in Rhode Island.

Mr. POTTER. I should point out that although CAPE is attempting to provide an opportunity for this group of organizations to work collectively, each of the member organizations is independent, as in many cases are the schools they represent. There are bound to be differences in points of view in particular problems, and indeed we may disagree with each other on a number of questions.

We do have, on the other hand, several witnesses who are prepared to speak on various issues or aspects of our testimony, issues which are common to all our members and which cut across the whole spectrum.

A principal concern here today, as indeed is the principal concern of CAPE, is to provide the kind of information which will help in the development of public policy that recognizes the validity and the importance of the private sector of elementary and secondary education and the need to encourage its continued contribution to American society, one that has had a long history from the grammar schools of the earliest colonial days of the 17th century, through the development of the academies of the 18th and 19th centuries, the growth of church schools of the 19th and 20th centuries, the progressive schools of the 1920's and 1930's and the emergence of the free and community school of today.

The private sector of the 1970's has elements of all these historical threads, and this accumulation of a broad and diverse spectrum of schools is testimony to the vitality of a concept of pluralism and diversity fundamental to our society.

The right of parental choice in education is equally a historic one, one that was affirmed in clearest terms in the Supreme Court decision of 1925 in the Oregon case of *Pierce* v. *the Society of Sisters*, and one recently reaffirmed in a recent Gallup poll indicating that 72 percent of a national sampling of the general public believed that a mixed system of schools providing for parental choice should exist.

We believe that the public policy at this time in history is not as clear as it needs to be and that the long record of the private sector and its clear relationship with fundamental purposes of our society have become obscured. While we appear to have a clear public concern and policy with regard to a pluralistic and diverse system of higher education, with a wide array of Federal and State legislation to strengthen it, at the elementary and secondary level we have only a hesitant posture which might be summed up in the phrase "tolerate but don't encourage."

I think the reasons are clear. One is the difficulty and complexity of the church-state question. Another is the squeeze on educational funding of all kinds, including the clearly difficult plight of public education, especially in urban areas. And a third is the failure of the private sector to have developed a broad public understanding of its place in and its contribution to American society.

On the last of these three points I would like to invite attention to two actions now being taken by the private sector in an effort to contribute to that understanding.

One is the creation of the Council of American Private Education, to which I have already alluded, and the other is a major study of the private sector of elementary and secondary education under the direction of Dr. Otto Kraushaar, former president of Goucher College which will be published this spring and which will, I believe, make an important contribution to the understanding of this diverse group of schools.

We have, as well, welcomed the efforts of the President's Panel on Nonpublic Schools, and of the President's Commission on School Finance, as well as the efforts of special commissions in the several States to examine the private sector, and we particularly welcome the opportunity to take part in this hearing of the Senate Subcommittee on Education.

We have likewise welcomed action taken by the U.S. Office of Education recently with the appointment of a person on the staff to act as liaison with the nonpublic school sector.

We have three principal topics that we would like to discuss, either through statement or question, or both.

First is the question which I have touched on briefly, the role of the private school in American education, its contribution and relationship to public policy and the public interest.

Secondly, we would like to discuss the current situation of the private school with particular reference to the questions of race and the urban situation.

There is a saying current today that "if you are not a part of the solution, then you are part of the problem." We are quite aware of the complex nature of the problems of race and urban education; we share with educational institutions of whatever kind the responsibility for having been part of the problem, but we are also fully conscious of the need to be part of the solution, and are exerting major efforts in that direction.

The publicity given to escape schools set up to avoid integration and the flight of whites from the cities has obscured the very real efforts of much of the private sector to accept its full responsibility and to attempt to contribute to the solutions. These efforts have had little public recognition or attention and what is going on is little known. We welcome his opportunity to make clear some of these efforts today.

Finally, we would like to discuss possible avenues of Federal action which might be taken to strengthen the contribution of the private sector.

Speaking to the first point, the question of the private school in American education and its relationship to public policy and the public interest, I would like to introduce, as our witness on this particular topic, Mr. A. D. Ayrault, who is seated at the left end of the table here.

Mr. Ayrault is headmaster of the Lakeside School in Seattle, Wash. He served for 2 years as associate director of the major study of the independent schools about which I spoke a few minutes ago.

He is the vice president of the Washington Federation of Independent Schools in the State of Washington, an organization encompassing nonpublic schools of all kinds, and he is serving on the advisory committee for title III in the State of Washington, as well as on the advisory committee for the Seattle School District on the examination of possible—a possible voucher plan.

(The prepared statement of Cary Potter and other information submitted for the record follow:)

Statement of Cary Potter, Acting Chairman, Council for American Private Education, before Senate Subcommittee on Education - December 2, 1971

First I would like to identify myself and then, in this opening statement, to identify the organizations and associations represented here today; to present a few basic statistics regarding the dimensions of the private school sector as a whole as well as of the schools that are affiliated with the participating organizations; and then indicate what we hope to do with our testimony here today.

I am Cary Potter, Acting Chairman of a recently formed national organization of associations and organizations of nonpublic schools. The title of this organization is the Council for American Private Education, a nonprofit organization in which the following are the Charter members:

Board of Parish Education of the Lutheran Church - Missouri Synod
Friends Council on Education
National Association of Episcopal Schools
National Association of Independent Schools
National Catholic Educational Association
National Society for Hebrew Day Schools
National Union of Christian Schools
United States Catholic Conference

These associations and organizations, through the schools that are their own members or that form a part of the systems of schools they sponsor, cover a vast majority of the enrollment in the private sector of elementary and secondary education, approximately 97%. There are other groups of nonpublic schools that are not members of CAPE at this time, though representatives of some of them have been meeting regularly with the CAPE Steering Committee and they will be welcome as members at such time as they wish to join. Also welcome will be representation from the free and community schools which represent a new and important expression of independence in the history of American nonpublic education.

It should be clear from what has been said that the aim of this new organization is to provide as broad and representative a framework as possible for the private sector of elementary and secondary education, and one that will serve not only that sector but the public as well. It is important here to state that membership in CAPE will be open only to those school organizations which subscribe to a policy of admission of students without regard to race, color, or national origin and that CAPE will therefore not serve schools set up to maintain segregation.

To indicate the nature of the intent of those forming this organization, I would like to read from the statement of purposes of its Articles of Incorporation: "to assist and strengthen the efforts of the organizations constituting the corporation's membership and the private schools represented by such organizations to serve effectively the free society from which they derive their independence by:

(a) providing a framework for communication and cooperation between various groups of private elementary and secondary schools, between these private schools and their public school counterparts, and between private schools and various branches and agencies of the federal, state and local governments, and other national educational organizations;

(b) encouraging a vigorous diversity in education to match our country's heritage of pluralism, taking care that the welfare and spirit of the whole society are enhanced in the process;

(c) enhancing opportunities for more families to have a realistic choice among schools for their children;

(d) encouraging a broad public commitment to excellence in education;"

At this point I would like to present a few basic statistics on the private sector of elementary and secondary education simply to define as best I can its dimensions. I must preface these comments by pointing out that accurate current statistics are difficult to come by, partly because of faulty communication between the schools and various statistic-gathering agencies like the states and the U.S. Office of Education, partly because state agencies are not always equipped or set up to provide them, and partly because the U.S. Office of Education has seldom had the funds or the personnel to do the job other than sporadically. The figures I shall present are drawn from several sources and are of different dates. The last complete breakdown of nonpublic school statistics published by USOE was for 1965-66. Overall enrollment figures are available for 1968-69. A more current USOE survey for 1970-71 has not yet appeared.

From this mix of sources, and from certain information supplied by the CAPE organizations, I present the following:

1. Enrollments for total nonpublic school segment-

1965-66 USOE figures were approximately	6.3 million[1]
1968-69 USOE figures were approximately	5.7 million[2]
An estimate for 1970-71 based on the continuing decline in Catholic enrollment would be about	5.5 million[3]

2. Breakdown of enrollments by type of affiliation and by state-

According to the USOE 1965-66 figures, based on the total population of 6.3 million, approximately 5.9 million were in church-related schools and about 341 thousand in non-church-related schools. I have a state by state chart of this breakdown (Exhibit 1) as well as a state-by-state chart showing the breakdown within the church-related group (Exhibit 2) both taken from the U.S. Office publications *Statistics of Nonpublic Elementary and Secondary Schools, 1965-66*.

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[1] USOE - Statistics of Nonpublic Elementary and Secondary Schools, 1965-66
[2] USOE - Directory of Nonpublic Elementary and Secondary Day Schools, 1968-69
[3] NCEA - A Report on U. S. Catholic Schools, 1970-71

3. *Employment of teachers*-

This segment of education reported the employment of somewhat more than 223 thousand teachers in 1968-69 (Exhibit 3 from USOE *Directory of Nonpublic Elementary and Secondary Day Schools, 1968-69*.)

4. *Financial expenditure*-

The total expenditures of the private sector for elementary and secondary eduation is a figure that is at best an estimate. According to the U.S. Office of Education, the 1970-71 estimate was $5 billion (USOE - *Digest of Educational Statistics, 1970 Edition*.) With minor exceptions, these funds are derived from private sources, including a combination of tuition, voluntary gift support, and church subsidies.

5. *Financial Situation*-

It is next to impossible to generalize on the financial situation of a group of schools as widely diverse as this, where methods of funding and costs per student vary greatly with the type of school and mode of operation. One can say, on the basis of statistics for one group of schools, that in the past 10 years costs per student have about doubled as a result of a combination of several factors, which include the rapid rise in salaries, the need for more financial aid for students who can pay little or no tuition, the increasing cost of education arising from a more complex curriculum and method; and the crunching force of inflation in the last five years of the decade when the cost of living index was going up at an average of 5.2% per year as opposed to 1.6% in the first five years. In short, the situation in general is similar to that of all education, with the closest parallel being that of the private colleges, but with the important difference being that at the school level, unlike the college, there is almost total reliance on private sources for the support of both new and existing programs, for financial aid for the needy student and for necessary new construction and equipment. And we have currently the added burden of a slowed economy which has curtailed the ability of parents both to pay tuition and contribute greater voluntary support. The most acute pressure is on those schools which face not only this combination of pressures, but also the one of having to replace religious personnel who had provided a major share of the subsidy with lay teachers.

Thus, the general situation suggested by the statistics is one which can be summed up in the word "jeopardy." The overall enrollment trend is down, despite exceptions in some segments; the financial squeeze is pressing; various kinds of curtailment, ranging from inability to undertake needed new programs to curtailment of existing programs and to closing of schools, are on the increase.

"Jeopardy" is the term used by Alan Pifer, President of the Carnegie Corporation, in a part of his last annual report entitled "The Jeopardy of Private Institutions." In speaking about private institutions of all kinds, schools, colleges, hospitals, museums, welfare agencies and the like, he points to the financial squeeze and to erosion in growth and in the essential quality of the "cutting edge," without which institutions atrophy. And he points to the danger of taking for granted the continued viability of private institutions as a part of our national resources. "The case for a combined public/private system can no longer be assumed to rest on some sort of divine law," he says. "It must be explicitly examined and stated." (See Appendix I for full Pifer Report.)

Now a word about our testimony here today. We do not expect to present orally a statement from each of the participating organizations present, but each has been invited to present a written statement, either here at this hearing or subsequently for the record. I should point out that although CAPE is attempting to provide an opportunity for this group of organizations to work collectively, each of the member organizations is independent, as in many cases are the schools they represent, and there are bound to be differences in points of view, in particular problems, and in needs. We do have, on the other hand, several witnesses who are prepared to speak to various issues or aspects of our testimony, which are common to all our members and which cut across the whole spectrum, and they and others will be glad to respond to such questions as may arise.

A principal concern here today, as indeed is the principal concern of CAPE, is to provide the kind of information which will help in the development of a public policy that recognizes the validity and the importance of the private sector of elementary and secondary education and the need to encourage its continued contribution to American society, one that has had a long history from the grammar schools of the earliest colonial days of the 17th Century, through the development of the academies of the 18th and 19th Centuries, the growth of church schools of the 19th and 20th Centuries, the progressive schools of the 1920's and 30's, and the emergence of the free and community school of today. The private sector today in the 1970's has elements of all these historical threads and this accumulation of a broad and diverse spectrum of schools is testimony to the vitality of a concept of pluralism and diversity fundamental to our society. The right of parental choice in education is equally an historic one, one that was affirmed in clearest terms in the Supreme Court decision of 1925 in the Oregon case of Pierce vs. the Society of Sisters, and one recently reaffirmed in a recent Gallup Poll indicating that 72% of a national sampling of the general public believed that a mixed system of schools providing for parental choice should exist. (See Appendix II)

We believe that the public policy at this time in history is not as clear as it needs to be and that the long record of the private sector and its clear relationship with fundamental purposes of our society have become obscured. While we appear to have a clear public concern and policy with regard to a pluralistic and diverse system of higher education with a wide array of federal and state legislation to strengthen it, at the elementary and secondary level we have only a hesitant posture which might be summed up in the phrase "tolerate but don't encourage."

I think the reasons are clear. One is the difficulty and complexity of the church-state question. Another is the squeeze on educational funding of all kinds, including the clearly difficult plight of public education, especially in urban areas; and a third is the failure of the private sector to have developed a broad public understanding of its place in and its contribution to American Society.

On the last of these three points I would like to invite attention to two actions now being taken by the private sector in an effort to contribute to that understanding. One is the creation of the Council for American Private Education, to which I have already alluded and for which I am now speaking. And the other is a major study of the private sector of elementary and secondary education under the direction of Dr. Otto Kraushaar, former President of Goucher College, which will be published this spring, and which will, I believe, make an important contribution to the understanding of this diverse group of schools and its role in American education. (See Appendix III)

We have, as well, welcomed the efforts of the President's Panel on Nonpublic Schools and of the President's Commission on School Finance, as well as the efforts of special commissions in several of the states to examine the private sector, and we particularly welcome the opportunity to take part in this hearing of the Senate Sub-Committee on Education.

We have three principal topics we would like to discuss either through statement or question, or both. First, is the question which I have touched on briefly, the role of the private school in American education, its contribution, and its relationship to public policy.

Second, we would like to discuss the current situation of the private school with particular reference to the questions of race and the urban situation. There is a saying current today that "if you are not part of the solution, then you are part of the problem." We are quite aware of the complex nature of the problems of race and urban education; and we share with educational institutions of whatever kind the responsibility for having been part of the problem. But we are also fully conscious of the need to be part of the solution and are exerting major efforts in that direction. The publicity given to escape schools set up to avoid integration and the flight of whites from the cities has obscured the very real efforts of much of the private sector to accept its full responsibilities and to contribute to the solutions. Those efforts have had little public attention and what is going on is little known. We would like to make those efforts clear today.

Finally, we would like to discuss possible avenues of federal action which might be taken to strengthen the contribution of the private sector, including more effective participation of the private sector in existing federal programs as well as possible legislative approaches to support.

NONPUBLIC SCHOOL ENROLLMENT BY STATE AND TYPE OF AFFILIATION*

State	Nonpublic	% of all	Church-Related	Non Church-Related
Connecticut	124,249	17.8%	105,688	18,561
Maine	31,199	12.3%	23,157	8,042
Massachusetts	256,544	20.1%	231,995	24,549
New Hampshire	35,643	21.7%	31,200	4,443
Rhode Island	50,891	24.8%	49,479	1,412
Vermont 1**	16,805	16.6%	13,139	3,666
Delaware	20,534	15.9%	18,884	1,650
District of Columbia	23,082	13.8%	20,121	2,961
Maryland	138,545	15.4%	128,085	10,460
New Jersey	328,225	20.3%	313,844	14,381
New York	904,430	22.1%	851,314	53,116
Pennsylvania 2	601,341	21.5%	580,591	20,750
Illinois	553,194	20.9%	540,420	12,774
Indiana	141,737	11.2%	139,821	1,916
Michigan	353,730	15.2%	346,570	7,160
Ohio	381,571	14.4%	375,214	6,357
Wisconsin 3	272,496	24.1%	270,723	1,773
Iowa	99,954	13.8%	99,399	555
Kansas	51,249	9.2%	50,494	755
Minnesota	163,299	16.8%	161,315	1,984
Missouri	176,263	15.5%	171,308	4,955
Nebraska	59,212	15.7%	57,860	1,352
North Dakota	19,334	11.5%	19,169	165
South Dakota 4	18,545	10.1%	17,875	670
Alabama	30,350	3.5%	26,044	4,306
Arkansas	13,252	2.9%	13,211	41
Florida	94,381	7.2%	82,655	11,726
Georgia	29,147	2.7%	19,714	9,433
Kentucky	93,428	12.3%	91,250	2,178
Louisiana	142,822	15.1%	131,914	10,908
Mississippi	21,521	3.6%	18,948	2,573
North Carolina	22,603	1.9%	18,153	4,450
South Carolina	16,424	2.5%	12,556	3,868
Tennessee	35,167	3.9%	27,466	7,701
Virginia	62,884	6.0%	47,480	15,404
West Virginia 5	14,701	3.3%	13,832	869
Arizona	34,578	8.5%	31,514	3,064
New Mexico	24,587	8.4%	22,496	2,091
Oklahoma	18,552	3.1%	18,408	144
Texas 6	161,025	6.0%	152,030	8,995
Colorado	45,318	8.5%	42,653	2,665
Idaho	9,311	5.1%	9,093	218
Montana	19,093	10.3%	19,025	68
Utah	6,239	2.1%	6,239	0
Wyoming 7	4,059	4.5%	4,059	0
Alaska	2,459	4.0%	2,148	311
California	451,328	9.6%	417,844	33,484
Hawaii	29,970	15.6%	21,572	8,398
Nevada	4,813	4.3%	4,595	218
Oregon	35,397	7.3%	34,260	1,137
Washington 8	59,291	7.6%	56,678	2,613
TOTAL	6,304,772	13.0%	5,963,502	341,270

*Source: USOE - Statistics of Nonpublic Elementary and Secondary Schools, 1965-66

** States are grouped by regions in accordance with the following:

New England	1
Mideast	2
Great Lakes	3
Plains	4
Southeast	5
Southwest	6
Rocky Mountains	7
Far West	8

Table 8a.--Enrollment in church-related nonpublic elementary schools by religious affiliation, by region and State: 1965-66

Region and State	Total church-related	Baptist	Christian Reformed	Friends	Jewish	Lutheran	Methodist	Presby-terian	Protestant Episcopal	Roman Catholic	Seventh-day Adventist	Other
1	2	3	4	5	6	7	8	9	10	11	12	13
CONNECTICUT	87,019	0	0	0	727	855	0	0	120	79,971	111	22
MAINE	19,117	0	0	0	64	0	0	0	0	18,954	99	0
MASSACHUSETTS	176,140	0	142	139	829	106	0	0	108	173,767	766	212
NEW HAMPSHIRE	24,724	0	0	0	0	0	0	0	0	24,129	93	8
RHODE ISLAND	39,363	0	0	360	149	198	0	0	158	38,498	0	0
VERMONT	9,669	0	0	0	0	0	0	0	0	9,653	16	0
NEW ENGLAND	350,528	0	142	499	1,769	1,159	0	0	675	344,966	1,085	242
DELAWARE	14,312	0	0	103	0	0	0	0	0	13,763	287	79
DIST OF COLUMBIA	13,688	84	0	0	381	0	0	0	838	12,077	236	0
MARYLAND	102,419	0	96	915	1,194	2,371	0	0	954	95,300	1,388	401
NEW JERSEY	257,557	39	1,022	953	2,478	1,187	27	0	577	250,224	515	535
NEW YORK	679,427	2,451	0	0	29,623	8,442	7	0	4,088	633,140	1,684	0
PENNSYLVANIA	456,486	226	0	2,624	1,078	1,390	326	166	1,013	444,594	1,214	3,936
MIDEAST	1,524,009	2,800	1,118	4,675	34,754	13,390	360	166	7,454	1,449,008	5,324	4,951
ILLINOIS	436,447	169	3,487	0	1,031	27,025	0	0	239	402,944	407	744
INDIANA	114,707	0	448	0	0	11,182	0	0	120	100,839	1,146	892
MICHIGAN	273,706	138	14,484	0	587	20,837	0	0	0	235,300	2,707	453
OHIO	294,689	238	96	0	675	4,337	0	0	44	287,857	1,138	308
WISCONSIN	228,989	121	518	0	86	19,872	0	0	0	209,245	129	18
GREAT LAKES	1,348,614	[illegible]	18,873	0	2,379	81,373	0	0	374	1,236,325	6,017	2,415
IOWA	74,448	0	2,502	0	0	3,187	0	37	117	68,138	264	3
KANSAS	39,215	0	0	0	0	2,610	0	0	53	36,328	184	40
MINNESOTA	132,939	0	1,092	0	104	10,233	0	0	329	120,700	272	209
MISSOURI	136,898	0	0	0	357	12,941	0	0	0	122,724	558	318
NEBRASKA	44,721	0	0	0	33	5,691	0	0	141	38,321	535	0
NORTH DAKOTA	14,312	0	0	0	0	427	0	0	0	13,734	151	0
SOUTH DAKOTA	13,545	0	587	0	0	484	12	0	188	12,200	94	62
PLAINS	456,078	0	4,181	0	494	35,493	12	37	828	412,431	2,058	632
ALABAMA	20,425	828	0	0	0	1,251	214	0	807	15,778	422	1,125
ARKANSAS	9,998	0	0	0	0	573	0	0	293	8,569	179	378
FLORIDA	69,912	1,758	250	0	637	2,356	58	308	2,364	59,810	1,427	952
GEORGIA	15,723	542	0	0	0	286	13	0	243	14,072	456	91
KENTUCKY	70,350	0	48	0	91	387	66	330	30	68,788	237	421
LOUISIANA	104,399	657	0	0	0	1,509	549	0	1,030	99,351	555	24
MISSISSIPPI	13,863	47	0	0	0	0	0	0	471	12,562	384	399
NORTH CAROLINA	15,489	954	36	69	0	754	249	527	604	11,394	736	62
SOUTH CAROLINA	10,428	1,162	0	0	167	76	0	0	998	7,710	85	235
TENNESSEE	20,882	234	0	30	250	686	226	614	593	15,222	1,432	825
VIRGINIA	34,095	285	414	171	113	1,089	59	246	1,652	29,469	626	759
WEST VIRGINIA	18,931	0	0	0	0	0	0	0	0	18,831	100	0
SOUTHEAST	396,467	6,459	748	290	1,715	8,977	1,434	2,025	9,691	353,548	6,619	5,271
ARIZONA	29,947	381	273	0	0	1,382	0	78	250	22,349	571	655
NEW MEXICO	18,283	108	265	0	0	757	109	167	0	16,703	175	499
OKLAHOMA	14,844	81	0	0	0	587	0	0	962	12,939	237	38
TEXAS	126,908	1,967	0	0	353	7,496	481	242	4,732	109,189	1,144	1,384
SOUTHWEST	189,982	2,457	538	0	353	9,722	590	479	5,944	161,096	2,127	2,576
COLORADO	33,505	264	583	0	176	1,925	0	0	84	29,168	1,070	235
IDAHO	7,792	0	0	0	0	614	0	0	0	6,693	465	16
MONTANA	14,782	0	296	0	0	439	0	0	293	13,175	172	407
UTAH	4,298	0	108	0	0	284	0	0	128	3,406	145	225
WYOMING	3,248	0	0	0	0	167	0	0	0	3,004	77	0
ROCKY MOUNTAINS	63,623	264	987	0	176	3,433	0	0	505	55,446	1,929	883
ALASKA	1,246	0	0	0	0	0	0	0	0	1,001	178	67
CALIFORNIA	330,121	6,080	1,986	74	816	15,286	1,132	88	3,245	283,196	12,814	8,440
HAWAII	15,514	269	0	0	0	877	0	0	1,036	12,855	609	702
NEVADA	3,567	0	0	0	0	112	0	0	0	3,378	77	0
OREGON	27,223	294	0	0	0	424	0	0	327	22,767	3,147	268
WASHINGTON	44,188	81	1,172	0	137	1,149	0	0	552	35,568	2,503	327
FAR WEST	421,859	6,649	3,158	74	953	17,842	1,132	88	5,170	357,465	19,328	9,796
U.S. TOTAL	4,247,060	19,287	20,065	5,533	42,041	171,598	3,528	2,789	30,633	4,170,277	44,487	26,766
CANAL ZONE	764	0	0	0	0	0	0	0	0	764	0	0
GUAM	3,925	0	0	0	0	0	0	0	151	3,572	102	0
PUERTO RICO	36,869	1,384	0	0	0	0	953	191	654	32,415	157	1,113
AMERICAN SAMOA	1,061	0	0	0	0	0	0	0	0	921	140	0
VIRGIN ISLANDS	3,223	0	0	0	0	0	0	0	343	2,631	249	0
OUTLYING AREAS	45,742	1,384	0	0	0	0	953	191	1,148	40,303	648	1,113
GRAND TOTAL	4,792,802	20,673	20,065	5,533	42,091	171,598	4,481	2,980	31,781	4,410,580	45,135	27,879

Table 8b.--Enrollment in church-related nonpublic secondary schools, by religious affiliation, by region and State: [illegible]

Region and State	Total church-related	Baptist	Christian Reformed	Friends	Jewish	Lutheran	Methodist	Presby-terian	Protestant Episcopal	Roman Catholic	Seventh-day Adventist	Other
1	2	3	4	5	6	7	8	9	10	11	12	13
CONNECTICUT	23,673	0	0	0	33	0	0	0	1,401	22,131	11	76
MAINE	4,060	0	0	0	0	0	0	0	0	3,944	7	89
MASSACHUSETTS	55,455	0	53	31	212	0	0	0	267	56,226	556	0
NEW HAMPSHIRE	6,976	267	0	28	0	0	0	0	725	5,756	12	177
RHODE ISLAND	10,116	0	0	648	43	0	0	0	350	8,113	0	0
VERMONT	3,470	0	0	0	0	0	0	0	45	3,425	0	0
NEW ENGLAND	104,130	267	53	676	300	0	0	0	3,209	90,613	586	362
DELAWARE	4,572	0	0	337	0	6	0	0	160	4,025	0	50
DISTRICT OF COLUMBIA	6,513	0	0	0	312	0	0	0	453	5,883	20	0
MARYLAND	25,456	0	0	852	363	381	0	0	917	22,152	621	210
NEW JERSEY	56,287	347	523	426	216	0	283	310	165	53,871	111	0
NEW YORK	171,887	47	0	0	7,526	1,725	7	0	1,399	161,000	585	0
PENNSYLVANIA	126,105	70	0	2,323	339	129	623	0	319	117,131	679	2,672
MIDEAST	388,830	464	523	3,868	8,773	1,535	713	310	3,668	364,172	1,834	2,960
ILLINOIS	103,973	0	1,478	0	364	2,741	0	0	0	98,800	275	315
INDIANA	25,034	195	0	0	0	896	0	0	300	22,869	293	481
MICHIGAN	72,864	321	6,162	0	162	1,678	0	0	0	63,183	1,294	84
OHIO	80,529	32	0	100	506	724	0	0	23	78,502	424	220
WISCONSIN	41,736	279	146	0	0	3,341	0	0	270	37,644	54	0
GREAT LAKES	324,134	827	7,786	100	1,010	9,380	0	0	593	300,998	2,340	1,100
IOWA	24,951	0	999	62	0	0	0	30	84	23,408	164	206
KANSAS	11,279	0	0	72	0	78	0	0	159	10,597	141	232
MINNESOTA	28,376	0	328	0	0	1,357	0	0	554	25,428	207	502
MISSOURI	34,410	0	0	0	86	1,419	0	59	0	32,309	48	491
NEBRASKA	13,139	0	0	0	0	286	0	0	108	12,499	266	0
NORTH DAKOTA	4,857	0	0	0	0	160	0	0	0	4,601	96	0
SOUTH DAKOTA	4,330	0	94	0	0	103	26	0	44	3,736	0	229
PLAINS	121,342	0	1,421	134	86	3,601	26	89	949	112,590	902	1,660
ALABAMA	5,619	194	303	0	0	105	87	0	30	4,062	177	661
ARKANSAS	3,213	0	0	0	0	36	0	0	46	2,597	174	360
FLORIDA	12,743	219	175	0	122	57	0	0	269	11,614	157	130
GEORGIA	3,991	0	0	0	0	0	47	152	0	3,429	193	170
KENTUCKY	20,900	246	152	0	0	0	53	106	55	19,716	26	468
LOUISIANA	27,559	496	0	0	0	89	5	0	395	26,521	49	3
MISSISSIPPI	5,085	73	0	0	0	0	0	109	146	3,848	374	355
NORTH CAROLINA	2,748	0	0	0	0	0	151	157	367	1,434	343	230
SOUTH CAROLINA	2,128	239	0	0	0	0	120	0	268	1,659	5	0
TENNESSEE	7,384	206	0	65	19	0	0	0	736	4,893	655	872
VIRGINIA	12,485	1,246	183	0	0	0	319	5	2,441	6,772	400	1,100
WEST VIRGINIA	2,901	31	0	0	0	0	0	0	0	2,852	18	0
SOUTHEAST	106,756	2,948	813	65	141	207	802	729	4,730	85,326	2,571	4,355
ARIZONA	5,667	0	0	0	0	67	0	147	0	5,087	345	21
NEW MEXICO	4,213	0	69	0	0	30	173	159	0	3,486	72	224
OKLAHOMA	3,564	0	0	0	0	0	0	0	432	2,921	80	151
TEXAS	25,122	488	0	0	0	197	353	264	937	21,109	1,096	598
SOUTHWEST	38,566	488	69	0	0	294	526	570	1,369	32,603	1,593	994
COLORADO	9,168	131	213	0	8	520	0	0	0	7,671	539	66
IDAHO	1,301	0	0	89	0	0	0	0	0	976	236	0
MONTANA	6,243	0	149	0	0	0	0	0	0	5,895	149	51
UTAH	1,943	0	0	0	0	0	0	170	158	1,205	10	400
WYOMING	811	0	0	0	0	0	0	0	0	811	0	0
ROCKY MOUNTAINS	17,466	131	361	89	8	520	0	170	158	16,558	934	517
ALASKA	902	0	0	0	0	0	0	103	0	726	20	53
CALIFORNIA	87,723	518	688	95	179	1,177	27	0	1,425	76,925	5,031	1,650
HAWAII	6,058	230	0	0	0	52	0	0	1,250	3,823	316	379
NEVADA	1,028	0	0	0	0	0	0	0	0	1,028	0	0
OREGON	7,037	0	0	0	0	121	0	0	116	5,811	615	376
WASHINGTON	12,490	29	496	0	3	76	0	0	405	9,785	1,374	322
FAR WEST	115,238	777	1,184	95	182	1,426	27	103	3,206	98,050	7,356	2,780
U.S. TOTAL	1,216,442	5,902	12,210	5,039	10,498	16,923	2,094	1,971	17,949	1,111,048	18,116	14,692
CANAL ZONE	0	0	0	0	0	0	0	0	0	0	0	0
GUAM	1,488	0	0	0	0	0	0	0	53	1,408	27	0
PUERTO RICO	10,242	26	0	0	0	0	425	0	106	9,471	122	94
AMERICAN SAMOA	312	0	0	0	0	0	0	0	0	0	0	312
VIRGIN ISLANDS	606	0	0	0	0	0	0	0	86	483	39	0
OUTLYING AREAS	12,648	26	0	0	0	0	425	0	241	11,362	188	406
GRAND TOTAL	1,229,090	5,928	12,210	5,039	10,498	16,923	2,519	1,971	18,190	1,122,410	18,304	15,098

SUMMARY DATA

Exhibit 3

SELECTED STATISTICS OF NONPUBLIC ELEMENTARY AND SECONDARY DAY SCHOOLS FOR THE UNITED STATES, BY STATE AND OUTLYING AREA: 1968-69 1/

STATE	NUMBER OF SCHOOLS		NUMBER OF PUPILS			NUMBER OF TEACHERS			HIGH SCHOOL GRADUATES, 1967-68
	ELEMENTARY	SECONDARY	PRE-PRIMARY 2/	ELEMENTARY	SECONDARY	PRE-PRIMARY 2/	ELEMENTARY	SECONDARY	
UNITED STATES TOTAL (50 STATES AND D.C.)	14,298	4,083	176,499	4,163,908	1,351,598	7,701	138,109	77,476	3/ 227,576
Alabama	85	34	1,703	15,771	8,498	74	572	498	1,266
Alaska	20	6	48	1,155	496	3	67	57	88
Arizona	81	26	2,296	15,526	7,623	88	563	480	1,531
Arkansas	56	23	544	7,328	3,103	27	303	186	3/ 120
California	1,169	363	16,516	302,496	99,752	931	9,779	5,826	18,846
Colorado	158	56	1,107	27,666	10,061	69	1,056	722	1,808
Connecticut	262	118	2,541	76,133	39,875	136	2,785	2,889	8,182
Delaware	46	17		14,557	4,657		524	290	751
District of Columbia	43	23	1,066	9,936	6,244	76	398	412	1,218
Florida	318	128	10,334	71,950	29,138	491	2,646	1,838	4,575
Georgia	77	32	2,439	15,409	9,117	110	752	599	1,933
Hawaii	62	26	2,467	15,659	10,351	102	543	588	1,880
Idaho	47	7	316	5,745	1,515	14	209	95	333
Illinois	1,010	191	15,355	366,793	110,711	569	11,298	5,491	23,462
Indiana	403	68	2,132	99,173	25,288	88	3,319	1,386	5,656
Iowa	307	60	1,021	63,151	21,605	(4)	2,467	1,113	(3)
Kansas	186	38	828	33,686	9,545	43	1,319	586	2,162
Kentucky	241	63	172	57,140	20,398	(4)	2,133	1,206	4,598
Louisiana	311	108	8,826	92,161	30,446	304	3,367	1,662	5,798
Maine	91	41	175	15,985	9,621	10	644	719	2,411
Maryland	191	99	725	75,409	30,052	22	2,519	2,017	5,821
Massachusetts	502	232	6,280	162,742	67,979	164	5,520	3,749	3/ 1,303
Michigan	600	162	4,637	196,911	55,980	192	6,075	2,946	10,658
Minnesota	450	86	1,766	104,745	26,836	87	3,804	1,698	5,789
Mississippi	99	39	1,600	14,708	4,913	68	680	326	793
Missouri	479	104	210	128,622	37,575	11	4,288	2,350	(3)
Montana	55	15	290	10,205	3,664	11	363	239	587
Nebraska	173	46	659	32,337	12,685	40	1,146	810	2,625
Nevada	22	3	24	4,067	1,157	1	138	51	210
New Hampshire	86	44	357	22,623	10,589	13	806	771	2,424
New Jersey	612	165	12,783	239,625	68,734	433	7,191	4,036	13,632
New Mexico	88	18	633	14,918	3,123	17	602	199	484
New York	1,586	536	34,827	631,799	190,600	1,538	19,352	10,246	40,884
North Carolina	122	41	1,242	15,105	3,819	51	684	312	777
North Dakota	59	17	102	10,653	4,017	3	459	219	856
Ohio	714	153	10	288,246	84,764	1	8,564	4,181	3/ 15
Oklahoma	48	11	746	8,700	2,906	34	402	182	587
Oregon	142	39	459	25,371	8,507	16	911	541	1,741
Pennsylvania	1,195	307	10,399	424,564	140,723	466	12,501	7,224	31,028
Rhode Island	127	40	1,295	35,209	9,791	51	1,313	574	2,096
South Carolina	90	38	2,476	13,590	5,686	129	657	383	870
South Dakota	71	16	66	10,029	3,054	3	414	237	729
Tennessee	120	53	1,589	20,879	12,404	53	1,019	881	2,577
Texas	395	95	13,242	77,524	23,002	634	3,307	1,537	(3)
Utah	22	5	274	3,184	967	10	111	61	220
Vermont	48	27	427	8,441	6,957	24	343	511	1,381
Virginia	177	99	6,060	33,875	17,443	323	1,488	1,326	3,060
Washington	184	53	(4)	38,831	13,716	(4)	1,367	791	(3)
West Virginia	44	17		9,709	4,068		345	255	840
Wisconsin	801	92	3,398	191,108	37,459	167	6,875	2,159	8,909
Wyoming	23	3	37	2,759	384	4	121	21	62
OUTLYING AREAS TOTAL	208	129	6,405	60,091	21,798	185	2,125	1,217	2,785
American Samoa	5	2		1,166	258		26	15	
Canal Zone	1	1		435	142		12	4	
Guam	8	8	163	4,148	1,251	4	109	51	137
Puerto Rico 5/	161	104	5,743	46,452	18,140	159	1,689	1,023	2,432
Trust Territory of the Pacific Islands	17	9	24	4,197	1,181	1	165	68	3/ 65
Virgin Islands	16	5	475	3,693	826	21	124	56	151

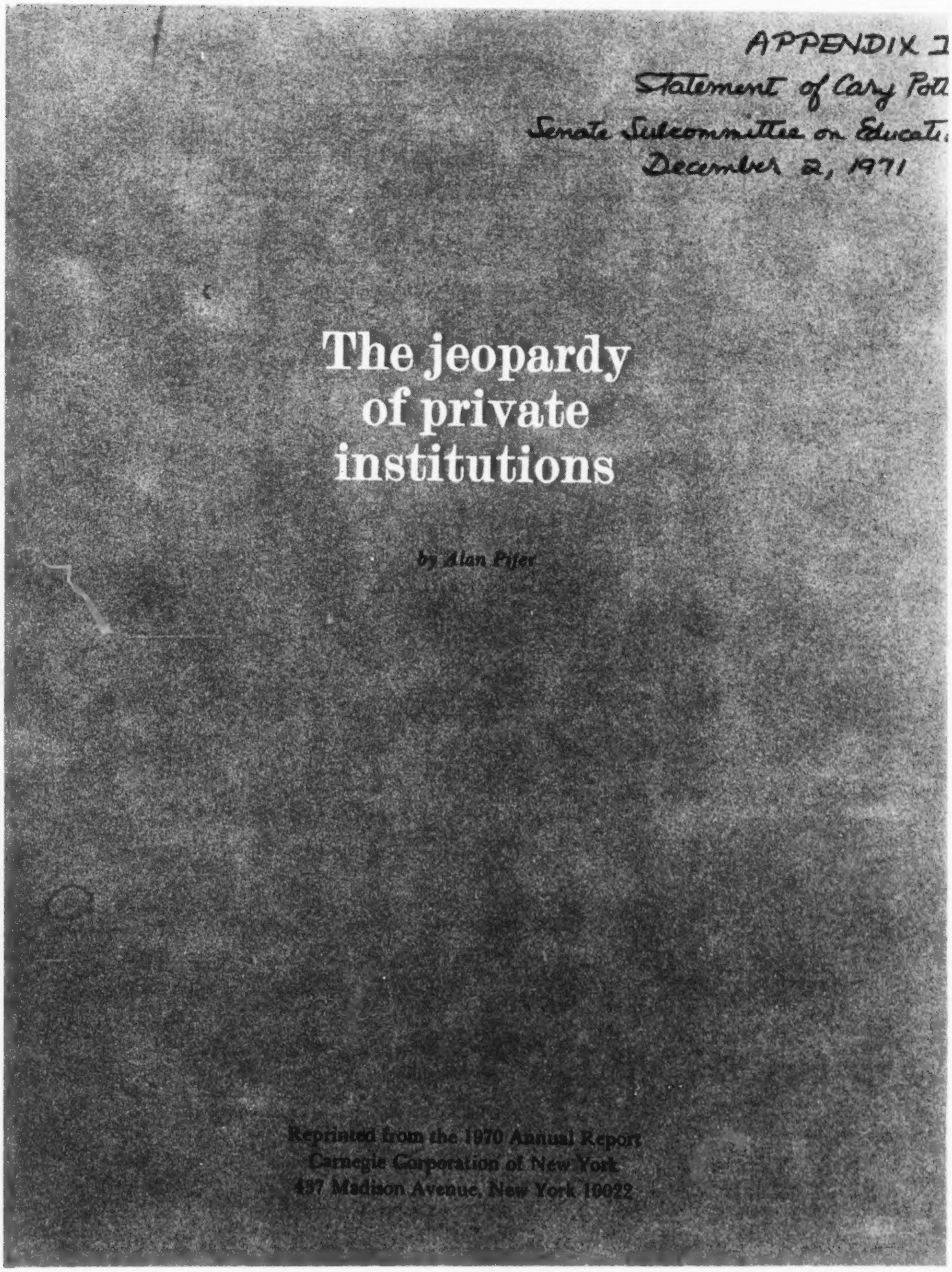
1/ Data in this table represent the 18,718 nonpublic schools in the U.S. and the outlying areas for which reports were received. Reports not available for an estimated 180 schools.

2/ Pupils and teachers in separately organized preprimary schools not included.

3/ U.S. total represents data for States reporting; partial or no data on graduates reported for Arkansas, Iowa, Massachusetts, Missouri, Ohio, Texas, Washington, and the Trust Territory of the Pacific Islands.

4/ Kindergarten enrollments and/or teachers included with elementary data.

5/ Teachers estimated in some schools by the Office of Education.



APPENDIX I
Statement of Cary Pott
Senate Subcommittee on Educati
December 2, 1971

The jeopardy of private institutions

by Alan Pifer

Reprinted from the 1970 Annual Report
Carnegie Corporation of New York
437 Madison Avenue, New York 10022

Carnegie Corporation of New York is a philanthropic foundation created by Andrew Carnegie in 1911 for the advancement and diffusion of knowledge and understanding. Its present capital assets, at market value, are about $290 million. Approximately 7 percent of the income may be used in certain Commonwealth areas; all other income must be spent in the United States.

The Corporation is primarily interested in education and in certain aspects of governmental affairs. Grants for specific programs are made to colleges and universities, professional associations, and other educational organizations.

The jeopardy of private institutions

Private nonprofit institutions serving the public good are one of those special features of American life so much taken for granted they have long since become obscured in a haze of familiarity. And yet, if one has occasion to observe life in a nation where all activities are functions either of the state or of a single, authorized political party, the value of independent private institutions, to our perception of a good society, becomes freshly and arrestingly apparent.

Nevertheless, a high proportion of our private educational, cultural, health, and welfare institutions are heading into deep trouble, increasingly affected by social and economic forces they are powerless to withstand. The steady, unrelenting deterioration of their position has now, for the first time, raised doubts about the continued viability of our traditional system of shared responsibility between public and private endeavor. For varying reasons, the American people at large and most of their political leaders seem either unaware of the situation, or unconcerned. In an age notable for the gravity and complexity of its problems, this problem, as important as many others with which we are currently obsessed, has simply failed to make its mark on the national consciousness.

Why do private service institutions matter to our society, and why is their continued existence in jeopardy?

The private commonweal enterprise

The private nonprofit sector of our national life can be thought of as having three parts. The first of these is the spontaneous coming together of citizens in support of causes which enlist their interest or excite their passions. These groups are often transitory, usually operate on limited funds, and seldom have professional staff. Evidence of the vitality of this part of the nonprofit sector was provided in the celebration of Earth Day last April. In the New York area alone, more than 200 voluntary organizations—ranging alphabetically from "Action for the Preservation and Conservation of the North Shore of Long Island" to "Westchester Students for Cleaner Environment"—joined in dramatizing the ecological crisis.

A second part of the nonprofit sector consists of that vast array of private local and national associations, nearly all enjoying tax exemption, that are devoted to the economic or social interests of *particular* groups of the population. Here we find labor unions, trade associations, agricultural organizations, chambers of commerce, real estate boards, country clubs, fraternal and employee beneficial societies, teachers' retirement fund associations, mutual credit unions, mutual insurance companies, and many others. This portion of the nonprofit sector is also thriving.

It is the third part of this sector, the part which is composed of established service institutions and organizations devoted to the common or *general* good, that is in ill health. These institutions are, roughly speaking, of five kinds: Those offering formal education, for example, private schools, colleges and universities, and special professional and vocational institutions; those providing informal education or cultural activities, such as museums, private libraries, zoological and botanical gardens, art galleries, symphony orchestras, and civic theaters; those giving health care, principally voluntary hospitals; those devoted to research; and those providing welfare services to disadvantaged or disabled members of the population.

Although there are great differences among them, private service institutions do possess a set of common characteristics. Originating generally as the fruit of some impulse of personal or religious philanthropy, they have developed into professionally administered enterprises impressed with a broad public trust. Incorporated as nonprofit institutions, they enjoy federal and state income tax exemption and, in most cases, exemption from local property taxes. They are governed, almost always, by self-perpetuating boards of trustees in whom, corporately, their assets are vested. Most importantly, they exist *solely* to provide needed services to the public or some designated part thereof—services which might otherwise have to be provided by government out of tax revenues.

Traditionally, these institutions were supported almost exclusively by the income from endowments, annual gifts by individuals, corporations and foundations, and user fees; but as costs have risen and the demand for services has mounted, these sources of revenue have become increasingly inadequate. In recent years, therefore, many private institutions have begun to seek and receive a measure of governmental support, in the form of grants or contracts for specific purposes, or, indirectly, through subsidization of the purchaser of services, or, occasionally, at the local or state levels, as annual subventions.

Nonetheless, they remain *private* institutions for whose continued state of health no one is legally responsible except their boards of trustees and the administrative staffs employed by these boards. To distinguish them from private associations serving the special interests of self-selected groups, we can call them privately controlled public enterprises, or, perhaps, private commonweal enterprises.

How many of these private institutions there are today no one is certain, although we do know that there are approximately 1,450 colleges and universities, 4,600 secondary schools, 3,650 voluntary hospitals, 6,000 museums, 1,100 symphony orchestras, 5,500 libraries, and 29,000 welfare agencies supported by United Funds. There can be no question that these institutions form a highly important piece of the fabric of American society, important enough to justify—indeed necessitate—our looking at their situations *collectively*. Together they give expression to the concept of private effort for the public good, and it is belief in the efficacy of this concept that has released untold energies and talent to the development of this nation.

Private versus public

Almost every category of private commonweal enterprise has its tax-supported, publicly controlled counterpart: public schools, colleges and universities, public museums and libraries, public hospitals, public research institutes, and public welfare agencies (albeit virtually no public symphony orchestras or public opera, ballet, and theater companies).

From time to time efforts have been made to demonstrate that the private institution is superior—or inferior—to its public analogue. Extravagant claims have been voiced on each side of the argument, and a good deal of blood, figuratively speaking, has been spilt in the sport. Common sense has always shown, however, that the question of private *versus* public, when posed as exclusive alternatives, lacks even a semblance of validity within this nation's experience. The issue is a handy one for populist or élitist polemics, but that is all. Each set of institutions has its particular strengths and weaknesses, and together they share many characteristics and goals. The case for private institutions, therefore, cannot, and should not, be made in terms of any inherent superiority they may be thought to have to public institutions.

A question that is more to the point is whether, in the aggregate, private institutions provide an essential element to the character of our national life. Would our society be as rich, as varied, as free, as lively, as it is, if these enterprises disappeared entirely from the scene—if all education took place in public institutions, if opera, ballet, drama, and music were performed only by official state companies, if medical care were provided only in public hospitals, if research were done only in governmental institutes, if welfare services were a monopoly of governmental agencies?

Put this way, the question is rhetorical and the answer, to many of us, obvious. Of course we believe in private institutions, and of course their place in the society must be preserved. But rhetoric and sentiment are not enough. A substantial new effort will be required to safeguard the future of these institutions, based on an understanding and appreciation of the unique role they play in our society. The case for a combined public/private system can no longer be assumed to rest on some sort of divine law. It must be explicitly examined and stated.

The case for the private nonprofit service institution

Granting that many of the special virtues claimed on behalf of private institutions turn out not to be unique to them, and granting that some of them have in the past been less democratic and less open to change than they should have been, there are, nonetheless, at least four distinctive reasons why it is a matter of compelling importance to retain in our society service institutions that are not under public control.

The first reason is the special opportunity they offer for concerned citizens, through membership on boards of trustees and participation in a wide range of voluntary activities, to accept a significant measure of personal responsibility for the provision to the public of many kinds of essential services. Acceptance of this kind of responsibility enables lay men and women to become informed about pressing national problems. It gives them a basis for judging the performance of public officials and institutions in attacking these problems. It serves as an antidote to the all-too-frequently encountered attitude that as long as one pays one's taxes, the failures, the evils, the pathologies of the world, are someone else's responsibility.

Additionally, voluntary service by trustees and other supporters brings to these institutions special talents and experience they could not possibly command otherwise, in fields such as fund raising, legal affairs, investing, property management, and community relations. Growing recognition of the paramount importance of the last of these fields has stimulated many institutions to broaden membership in their governing boards to include more young people, more women, and more representatives of minority groups.

In this day, when it is increasingly evident that public authority, important as this is, cannot alone solve the nation's growing problems, the need is great for private individuals to accept a real measure of responsibility for these problems themselves. One of their best opportunities to do this—and an opportunity which should be extended ever more widely to all kinds of citizens—is through participation in the work of private service institutions devoted to the common good. In this respect these institutions perform an essential function in our national life.

The second notable reason private service institutions and organizations must not be allowed to disappear is the important role they play in the safeguarding of academic, professional, and artistic freedom. In periods of sharp controversy, when legislative or executive pressure on public institutions becomes intolerable, private institutions can provide essential reserve protection for these freedoms. As one looks ahead, it is hard to imagine that the tensions of our deeply divided society will not produce many new storms, each with its own particular threats to liberty of mind and conscience.

This is not to suggest that all private institutions are necessarily impervious themselves to external pressure, or that public institutions have a record of supineness in their defense of freedom. Far from it. It is simply to say that private institutions, because they are not directly dependent on public appropriations, are less immediately vulnerable to restrictions on their capacity to function effectively in the public interest.

It has therefore seemed wise to many Americans to distribute the safekeeping of their nation's most precious asset, its intellectual freedom, among a variety of institutions under the control of private citizens as well as of public authorities. In a totalitarian state, where intellectual orthodoxy is of the highest imperative, this kind of arrangement would be unthinkable because it is one designed to produce a babel of intellectual and artistic claims in the name of truth, perpetual challenges to authority, and a seeming lack of a disciplined sense of national purpose. Despite the attacks on it today by young radicals, and despite the clearly evident imperfections of our present society, our system of shared responsibility is one that has served the American people well, and we would be foolish to abandon it by allowing our private institutions to fail.

A third, purely pragmatic, reason for securing the future well-being of these institutions is simply the fact that they do exist and that if they ceased to function as a private responsibility there is no guarantee that the same kinds and quality of service they now provide could or would be provided at public expense. This is particularly true in regard to some types of services provided by religious institutions, where the doctrine of separation of church and state bars public support; but it also applies to situations in which private institutions supply services of such a controversial nature that public agencies would not dare to enter the field. There are other kinds of services, such as those offered by cultural institutions and by some kinds of research institutes, specialized educational institutions, and welfare and public affairs organizations, which many Americans would think ought not, within this nation's traditions, to be totally financed by government.

If commonweal enterprises could no longer be kept afloat through private funding and were to become entirely dependent on tax funds to continue operating, it is a fair assumption that many would have to close down or drastically reduce their services. In many cases, they would not qualify for public support, and where they did, hard-pressed public authorities would be reluctant to give them the necessary priority in the face of already established budgetary claims. It is also probable that if they were to qualify, their services would be made to conform to those offered by comparable public institutions, thereby standardizing them and very possibly destroying some of their special ésprit and quality.

The building of great institutions, be they universities, museums, symphony orchestras, hospitals, or independent research facilities, is a painstaking process, almost invariably requiring many decades. Each successive generation of trustees, staff, and volunteers adds its increment to the facilities, the range of services provided, the professional standards, the ésprit and the reputation of these institutions, until eventually they stand as mature resources to the society of a value incalculably greater than simply the worth of the "assets" which are listed in their annual balance sheets.

Such institutions are essential to an enlightened, humane, and stable society. They bring to it the perspectives of the past and of world culture. They serve as springboards from which advances are made in basic knowledge or in standards of individual and organizational performance. In an age of relentless change they provide a steadying hand of continuity. And, lastly, they serve to keep alive on a year-in year-out basis important fields of activity during the lean periods when these are out of fashion for public support.

A fourth, and perhaps most important, reason private institutions must not be allowed to decline is that they bring to our national life vital elements of diversity, free choice, and heterodoxy. These qualities are often lumped together and their identity obscured in celebration of the vague and rather overworked concept of "pluralism." But each, in fact, has a quite different connotation, and each has its own special importance.

Diversity suggests the existence of a variety of institutions within a given field, all rather different from one another in the way they are managed, in their perceptions of priorities, and in the kinds of service they offer. The term is value-free in that it contains no suggestion of superiority or inferiority. It says only that there are likely to be a number of ways to accomplish something and that in the long run the competition between several possible approaches is good for everybody. This prevents new ideas from being suppressed, it provides challenge to fat and complacent bureaucracies, it assures experimentation and flexibility, and it lends color to what might otherwise be a monochromatic scene.

Free choice applies to the consumer rather than to the purveyor of services. It implies the existence of a market, wherein those seeking services can shop around and take their trade where they choose. The market is, of course, not an entirely free one because the costs of private services are likely to be higher than those provided by public institutions. But the existence of the market is, all the same, important to the way the consumer feels about his life, for he knows that if a massive public agency whose services he was using were to become rigid, or inhumane, he would at least have the possibility of an alternative.

Heterodoxy describes the permitted presence in a society of unconventional ideas and philosophies and of institutions and organizations which nourish them. Tolerance of this kind is a sign of national maturity and self-confidence and indicates faith in the good sense of the average citizen to sort out what is genuine and what specious. It also recognizes that today's iconoclasm may, as the result of changing conditions, be tomorrow's orthodoxy and that any attempt forceably to stifle the free play of ideas, however seemingly eccentric, may produce stagnation or cause the buildup of powerful social forces that will eventually result in violent upheaval. Thus, the capacity to tolerate nonconformism, trying as this sometimes becomes, is the *sine qua non* of a free society. Without it the imposition of a totalitarian state ultimately becomes inevitable.

Private institutions are not the only contributors to pluralism. Public institutions can and do play a part in it; but their vulnerability in times of crisis places a special burden on private institutions for the preservation of diversity, of free choice, and of the capacity to tolerate heterodoxy—in short, for the preservation of an open society.

Character of the threat

The developing threat to private institutions is certainly grave, but in pointing it out one risks the accusation of crying "wolf." Any adequate description implies some sort of dramatic, instant fulfillment, whereas the demise of an institution is more likely to be a protracted and inconspicuous process lasting many years and encompassing several stages of progressive debility.

There may be a first stage in which the institution, for financial reasons, becomes unable to manage the growth necessary to meet new challenges. This loss of a cutting edge may bring on a second stage in which the institution's own self-confidence and the public's confidence in it begin to slip, a third in which the recruitment of capable staff becomes progressively more difficult, a fourth in which declining income begins to necessitate the curtailment of important activities and reduction of staff, and so on. Even when the institution is moribund, it may drag on for some time before it is finally forced to close down. It is at the very first stage, however, when an institution shows itself to be incapable of vigorous response to changed times, that it should be seen to be seriously ill, and it is then that remedial steps should be taken.

Many of our greatest private service institutions are now showing all the symptoms of being in this initial stage of sickness; and in seeking to understand the cause of their illness, they tend to diagnose it as essentially financial. They regard themselves as simply the victims of an inflationary spiral in which for some years now their costs of doing business have mounted more rapidly than their income. Over the past decade, expenses have at least trebled to provide the same amount of service. As service institutions, they have not been able to offset steadily rising labor costs through automation or other increases in productivity, or, alternatively, just to drop unprofitable services, as could a business enterprise. Either course would have constituted abandonment of their very *raison d'être*—to provide services they deem to be good or essential for all or many citizens, and as much as possible on terms which the less fortunate can meet.

During the past year an already serious situation for the private commonweal institution has been further aggravated by cutbacks in federal spending and by the decline in the stock market, with its consequent reduction in charitable giving. The annual operating deficit has now become an all-too-common phenomenon among these institutions. Financial exigency has, in many cases, caused positive steps to be taken, such as improvements in efficiency, new efforts at private fund raising, and efforts to reach out to meet new needs for which funding is available. It has also caused some unfortunate compromises, for example, reductions in the quality of services offered, increased charges for these services, encroachments on unrestricted endowment funds for use as annual income, and even short-term borrowing to meet payrolls. But these moves, whether sound or unsound, have provided only temporary relief, not a real solution. They have simply served to stave off the ultimate day of reckoning when many private institutions will either have to become publicly controlled and supported or go out of business.

At bottom, the problem faced by private institutions is very much the same as that faced by public institutions, except for the vital consideration that the latter's support is hitched to the tax dollar. Both have been hard hit by rising personnel costs. Both have found it impossible to offset these costs through increased productivity. More importantly, both have been seriously affected by an enormously heightened public demand, caused by affluence, population growth, changing attitudes, and related factors, for the kinds of educational, cultural, health, and welfare services which traditionally have been, and should be, supplied on a nonprofit basis.

Government, quite properly, has concentrated on the staggering problem of meeting this demand and in so doing has put the major part of its effort into the development of public institutions. This approach, understandable as it is, has been built on assumptions about the continued viability of private institutions as a national resource that have become less and less justified and consequently has precluded the kind of *special* attention they urgently require.

During this period, many Americans have enjoyed an illusory confidence that private giving by individuals, foundations, and corporations, reinforced perhaps by better investment policies, by some increases in user fees, and by some limited access to funds provided through government programs, would be sufficient to maintain the strength of private institutions. They have simply failed to understand that income from private giving, essential as it is because of its unrestricted nature, represents only a small part of the annual budgets of these institutions. They have also failed to appreciate that many private institutions, because they are located in cities, have lost their traditional supporting constituencies through the migration of more well-to-do families to the suburbs. This problem particularly afflicts cultural institutions, so that just when the need for them to reach out further to serve larger numbers of urban residents is being widely recognized, their financial capacity to do so has become woefully inadequate.

If financial debility were the only problem faced by private institutions, there might be grounds for at least some degree of optimism. One might suppose that resolute action and more favorable times would, in due course, begin to restore them to a state of financial health, thus assuring the continued viability of our combined public/private system. But this future appears increasingly to be subject to more fundamental doubts having to do with the basic attitudes and beliefs of the American people. The issue now is whether a majority of our citizens still sees special merit in the retention of a combined public/private system or, conversely, whether substantial numbers would now, for varying reasons, be quite content to see private institutions generally handed over to public control.

The answers to these questions are by no means clear, however distressing this may be to those of us whose faith in our traditional system runs deep. We must recognize, for example, that millions of Americans, because of poverty, discrimination, or disillusion with the society's values, feel alienated from it. To them, private institutions, like government itself, are simply part of what they consider a rotten system and of a *status quo* which they are convinced is entrenched against the kinds of social change they advocate. We cannot expect these Americans to be the defenders of the private commonweal enterprise unless ways are found to relate it far more effectively to their needs and aspirations; but how far it can go in this direction without at the same time alienating other constituencies and jeopardizing its financial support is an even more difficult question.

Another very substantial group of citizens—fearful, insecure, disturbed by the changes that have taken place in American life and inclined to a conservative outlook—may also be disenchanted with private institutions, ironically, for almost diametrically opposite reasons. This group tends to feel that private institutions, especially colleges and universities, have gone much too far to the side of "liberalism,"—that amorphous and enigmatic force in our national life which has, in their eyes, pandered to blacks and other minorities, capitulated to student irresponsibility, undermined law and order, ignored the legitimate needs of people like themselves who are "willing to work their way," and generally raised everyone's taxes in the process. There certainly can be no guarantee that this large group will be passionate defenders of the independent position of private institutions in the society. On the contrary, we can expect such Americans, by and large, to favor measures which bring these institutions under ever greater public control.

Thirdly, there remain in the nation many people, especially in the nation's "heartland," who continue to have a kind of populist distrust of private institutions, associating them with great wealth, privilege, and a social caste system. They feel more comfortable about institutions which are the immediate responsibility of elected, publicly accountable officials. While it would be an overstatement to say that people of this outlook are downright hostile to private institutions, it would certainly be fair to suggest that one would not find among them the kind of spontaneous, fervent support these institutions now so desperately need.

Finally, there are many people who are simply indifferent to the issue, to the degree that they are even aware of it. They know little of the role of private institutions in our national life, and they care less. From time to time they benefit from what they take to be public services without realizing that these are, in fact, provided by private institutions. Unfortunately, this group probably constitutes a large part of the population.

Lack of a philosophical commitment to the idea of a combined public/private system, ignorance of private institutions and what is at stake in their preservation, and even disaffection toward them as such, among certain parts of the public at large is, not surprisingly, reflected by many public officials. Here and there one finds active and courageous supporters of the cause of private institutions, and their efforts have been helpful and appreciated. The predominant attitude of officialdom, however, is at best one of indifference to the entire issue and at worst one of skepticism bordering on hostility.

Dramatic evidence of the prevalence of these attitudes was offered in the Tax Reform Act of 1969 when Congress placed a 4 percent excise tax on the income of foundations. Foundations opposed this strenuously, pointing out that the tax would simply deny some 50 million dollars of much needed income to the organizations and institutions, *most of them private,* which they customarily support. The argument, though understood, was disregarded. A desire to "chastise" foundations, however illogical the form of punishment, out-weighed the concern that should have been felt about those on whom the real burden of the tax would fall. Most disquieting of all was the fact that an action as damaging as this to private institutions could have been taken with so little protest from the public. That surely was indicative of a state of public apathy toward these institutions that bodes ill for their future.

The future

In view of the state of public opinion on the question, the general lack of official concern, and the nation's preoccupation with other issues, it seems unlikely that any systematic, coherent effort will develop in the immediate future to alleviate the financial situation of private service institutions. Their relative position in our national life seems destined to decline and with it the special values they bring to our society.

Some types of private service institutions will be less vulnerable than others, particularly those which can go on raising their prices because the consumers of their services are subsidized by public funds or protected by insurance plans; but for other types of institutions, especially those providing informal education and cultural activities in which the demand for service inevitably begins to fall off when charges are raised too high, the day of final reckoning will come much sooner.

Private schools, colleges, and universities, while retaining a leavening of low-income scholarship students, will do best financially by turning their backs on the hard-pressed middle class and concentrating their admissions on the children of affluent families which can best afford ever-rising tuition charges. In so doing, they will pay the price of becoming estranged from the mainstream of the populace, which will only serve to increase their growing insecurity. As for the major private research universities, even substantial tuition increases will help only marginally, so small a part does tuition play in their overall financing.

Any real solution to the plight of private institutions must begin with a clear appreciation by the nation's top political leaders of what the *collective* presence and vitality of these institutions mean to the nation. These leaders, rather than simply mirroring public ignorance and apathy, must educate the public and, where necessary, convert it, to a sense of active concern over the future of our traditional system of shared public and private effort and responsibility; and, in this task, our political leaders must be supported and reinforced by other leadership elements in the nation. Nothing less than this kind of impetus from the top will provide the basis for the great variety of measures which will be needed to preserve and revitalize the position of our private institutions.

Much of the remedial action will, of course, have to be tailored to the special situations of specific types of institutions and will have to be taken by state and local governments as well as in Washington. But other approaches can be broad enough to affect all classes of institutions simultaneously. An example of the latter would be a totally new look at the tax laws which would approach charitable giving not simply negatively as an area for taxpayer abuse, as did the tax reform legislation of 1969, but with the positive attitude that philanthropy is a national virtue that should be given maximum encouragement. Such a reexamination has been recommended by the "Peterson" Commission on Foundations and Private Philanthropy.

Another possibility might be a comprehensive study of the variety of ways in which private institutions could be aided as the result of public subsidization of the consumers of their services, with a view toward extending and broadening this approach. Public funds are already used extensively to provide scholarships tenable at private colleges and universities. Voluntary hospitals are assisted through medicare and medicaid to elderly and less advantaged individuals. Perhaps other kinds of private institutions, such as museums and symphony orchestras, could be assisted indirectly through public subsidy of the users of their services. This form of public support has an advantage in that it reduces the likelihood of government control of the operations of private institutions and preserves the free market.

A third possibility might be a national commission which would think through and articulate the requirements for a massive campaign to arouse public interest in the private service institution and concern over its future. Such a commission would have to determine who should be responsible for launching the campaign, how it should be organized, and how financed. And it would have to ensure that something would really happen as a result of its work.

The time for action, whether of a broad or specific nature, is extremely late. Our historic partnership of public and private commonweal endeavor is in grave danger because of the state of apathy that is permitting the decline of private institutions. Unless this decline is arrested and reversed, we, and our children after us, will almost certainly be living in a society where the idea of *private* initiative for the *common* good has become little but a quaint anachronism largely associated with the mores of an earlier age. Perhaps at that time there will be Americans who are reasonably satisfied with the kinds of lives offered them by a society which functions solely through public institutions. But there may well be others with a great yearning for more variety, more choice, more animation, and more freedom in their lives than such a system would be likely to provide. If so, they will certainly wonder at the heedlessness—the sheer negligence—of the generation before them that could have allowed a system which has these attributes to atrophy.

Alan Pifer
President

APPENDIX II
Statement of Cary Potter
Senate Subcommittee on Education
December 2, 1971

How the Public Views Nonpublic Schools

A Study
of the
American
Independent
School

6 Appian Way
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A STUDY OF THE AMERICAN INDEPENDENT SCHOOL

Foreword

Discussions about the relative merits or demerits of private as compared with public education commonly rest on assumptions regarding public attitudes which have never been carefully surveyed. How much does the public know about private schools? What does it think of them? Answers to these questions have been either purely conjectural or reflections of personal bias. In view of the intense current debate about all kinds and all levels of education it becomes increasingly important to have an accurate assessment of what people the country over do in fact think and believe. To this end Gallup International was commissioned by this Study to conduct a national survey of how the public views nonpublic schools. A summary of the important findings, adapted from the text of the Gallup Report, is presented here.

Fortunately, CFK, Ltd., also engaged Gallup International to conduct "A Survey of the Public's Attitudes Toward the Public Schools." Field work for the public and private school surveys was done at the same time, utilizing the same sample and interviewers. So for the first time valid information is available regarding the public's knowledge and opinions about its schools, public and private.

The Gallup survey reported here was made possible by a grant from the Independence Foundation. The Danforth Foundation provides the major support for A Study of the American Independent School. The Study staff is preparing a book length Report dealing with many aspects of the world of private schools. The Report will be based on a substantial questionnaire survey and extensive school visits covering all types of private, parochial and independent schools.

Otto F. Kraushaar
Director

Cambridge, Massachusetts
July 29, 1969

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HOW THE PUBLIC VIEWS NONPUBLIC SCHOOLS

This survey, undertaken as part of A Study of the American Independent School, has sought to determine, on a nationwide basis, the views of the public regarding nonpublic school education.

In all, 1505 adults were interviewed by 327 members of the nationwide field staff of Gallup International. These interviews were conducted in all areas of the country and in all types of communities selected by random methods. These communities, taken together, represent a microcosm of the nation.

Questions included in the interviewing form were selected after many pre-tests conducted in the interviewing center in Hopewell, New Jersey, and after a pilot study undertaken in 27 areas of the country. The survey represents the joint planning of the staff of A Study of the American Independent School and the staff of Gallup International.

The field work for this survey was conducted during the period of February 4 through February 20, 1969.

In the early testing of the questionnaire form it was discovered that the general public is not familiar with the term "independent", but classifies nonpublic schools as either "private" or "parochial". By "parochial" the public generally means Roman Catholic schools only, using "private" when referring to schools operated by other religious groups. This terminology prevails, although some non-Catholic denominations, the Lutherans for example, also refer to their schools as "parochial", and the Roman Catholics themselves distinguish between three types of Catholic schools: diocesan schools, parochial schools and private academies.

It was thought best to overlook these differences in terminology and attempt to assess public opinion on "private" and "parochial" schools.

Although parochial schools are present in 70 per cent of American communities, the fact that private schools are to be found in only a third of the communities in the United States posed a major problem. Obviously it is difficult for citizens to make meaningful comparisons between private, parochial and public schools except in communities where all three types are present. Fortunately, most of the areas with private schools also have parochial schools. In these areas respondents were in a position to make more meaningful comparisons between the three types of schools.

For many questions, therefore, responses from areas where private and parochial schools exist are reported separately along with the national results. The sample base for these responses is reduced to 435 which means that results must make added allowance for sampling error.

One other important point needs to be kept in mind in interpreting results, the factor of loyalty. Individuals who have attended any one of the three kinds of schools, or who have children or grandchildren now attending them, tend to be loyal to that type of school.

Government figures for 1965-66 indicate that about 6.3 million, or 13 per cent, of all students enrolled in elementary and secondary schools in the United States attend nonpublic schools. The church-related schools account for the great majority of these students, while a little more than five per cent of them attend non-church private schools. To supplement the very small number of respondents who have children attending these schools, the sample was augmented by 88 interviews with parents who now have children in nonpublic schools. These are useful in the case of some questions, but the very small sample base should be kept in mind in drawing conclusions.

HOW WELL INFORMED IS THE AMERICAN PUBLIC ABOUT NONPUBLIC EDUCATION?

The American public is poorly informed about nonpublic schools. This, perhaps, is to be expected since only one person in three lives in a community where private schools are to be found, and only one student in every eight throughout the nation attends a nonpublic school.

By almost every test, the public reveals little knowledge about nonpublic schools, especially about private non-church schools. On the other hand, the public is also not well informed about the public schools--even those in their own communities. In a companion survey dealing with the public schools, this finding was reported:

> "Most of the information that the public possesses about the public schools concerns the happenings, the news, reported in the newspapers or through other media. Knowledge about education itself is very limited, at least the kind of knowledge that has to do with the curriculum and goals of modern education." 1.

In this same survey dealing with the public schools, it was found that four in ten of those interviewed (41%) said they knew "very little" about the public schools in their own community. On the other hand, nearly two-thirds say they would like to know more about their schools. Mostly they want the kind of information that is seldom reported--the nature of the courses taught, innovations being tried, changing college admittance requirements, the meaning of test scores, changes in the curriculum and the reasons for the changes.

The same situation is found to an even greater degree regarding the nonpublic schools, since less is reported about them in the news media. For example, when those who live in communities with private schools were asked if they happened to know how these schools are supported, slightly more than half ventured a guess. When they were asked about the tuition charged, only 27 per cent made a guess. And only 11 per cent said that they thought loans and scholarships were available.

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1. CFK Ltd., A Survey of the Public's Attitudes Toward The Public Schools 1969 - by Gallup International, Spring 1969.

WHAT DOES THE PUBLIC THINK ABOUT THE QUALITY OF NONPUBLIC EDUCATION?

To provide an index for assessing public opinion about the quality of nonpublic schools, respondents were asked to compare them with public schools. The following question was asked:

> "If you were to rate the quality of education received by children in your community, which one would you say is best--private, parochial, or public school?"

For the national sample the results were:

PRIVATE SCHOOL	14%
PAROCHIAL SCHOOL	15%
PUBLIC SCHOOL	43%
ALL EQUAL	20%
NO OPINION	8%

Obviously, since the question calls for a comparison it is relatively meaningless in communities where private and parochial schools do not exist. By comparing the national response to that from communities where all three types of schools are present--about one-third of the nation--it can be seen that nonpublic schools are regarded much more favorably where they are known. For these communities the answers are as follows:

PRIVATE SCHOOL	24%
PAROCHIAL SCHOOL	21%
PUBLIC SCHOOL	32%
ALL EQUAL	20%
NO OPINION	3%

If the choice of private school (24%) is combined with the choice of parochial school (21%), then the vote for the nonpublic school is substantially larger than that given the public school (32%).

The size of the private school vote is noteworthy. If one takes account of the loyalty factor discussed earlier and bears in mind that only 2 per cent to 3 per cent of the students in these communities, on the average, attend private schools, the endorsement of the latter is all the more striking.

Each person was asked to give the reasons for his choice. The reason cited most often by those who believe the quality of education is best in the private school is that the student receives more personal attention. In the case of parochial schools, the reason cited most often is discipline. Those who believe the public schools are best most often give as their reason the association students have with all segments of society.

Surprisingly, rather few choices are based upon the educational program, or the quality of education per se. In fact, there is a strong tendency to judge quality by the way students are dealt with as individuals.

IS THE PRIVATE SCHOOL UNDEMOCRATIC?

Relatively few persons interviewed in this study believe that private schools are essentially undemocratic. Rather, private schools are regarded as a natural concommitant of a pluralistic society.

Although many believe that one of the virtues of the public schools is that they "bring all classes of people together" and that they provide a "more true-to-life environment" in which to teach young people, yet those who hold this view would not insist that all children be required to attend public schools.

To probe views on this aspect of education, the following question was put to all persons reached by the survey:

> "As you know, there is talk about taking open land and building new cities in this country. New cities, of course, would include people of all religions and races. If such communities are built, should there be parochial and private schools in addition to public schools?"

This question offers those who believe strongly that the three-school system is divisive and that all children should be enrolled in one kind of school an opportunity to register this opinion.

That the great majority of citizens accept the present three-school system is indicated by the response to the above question. Whether they now live in communities with or without private schools, most citizens register a substantial vote in favor of the three-school system.

For the nation as a whole, the vote is:

Yes, there should be parochial and private schools	72%
No, there should not be parochial and private schools	23%
No opinion or No answer	5%

The vote for nonpublic schools is even higher in those areas where such schools are to be found, as the following figures show. In the three-school area:

Yes, there should be parochial and private schools	84%
No, there should not be parochial and private schools	12%
No opinion or No answer	4%

In each interview, the respondent was asked to tell why he gave the answer he did. Analysis of reasons for voting "No" show that most of those in this group cite reasons that have little or nothing to do with the undemocratic nature of nonpublic schools.

Many, for example, say that the public schools are good and there is no need, therefore, for private or parochial schools. A few voice opposition because they assume that the nonpublic schools would be supported by tax money. Opposition on the grounds that such schools are undemocratic--that all should be equal in education--is limited to about 2 per cent of the nation.

The overwhelming majority of those who favor the three-school system say, "There should be a right to choose."

TO WHAT EXTENT WOULD PARENTS CHOOSE PRIVATE EDUCATION IF IT WERE MADE POSSIBLE FINANCIALLY

Whether a family sends its children to a public or to a private school involves a whole cluster of factors, not the least of which is money. But to weight this factor with great accuracy is far beyond the scope of this study.

At the same time, it was thought useful to try to gain some insight into the importance of money in the decision about the schools by asking this question:

> "If you had the money, or if your children could get free tuition, would you send them to a private school, to a church-related school (parochial), or to a public school?"

Nationally, the responses were as follows:

Would send children to private school	18%
Would send children to parochial school	22%
Would send children to public school	57%
No opinion	3%

The responses of those who live in areas where private and parochial schools exist are, of course, the most meaningful. In the private and parochial school areas these results were obtained:

Would send children to private school	30%
Would send children to parochial school	29%
Would send children to public school	41%

When the figures for private and parochial schools are combined, the total exceeds that for the public schools, but it is interesting to note the balance of enrollment that would result in the three sectors according to this response. Americans seem to place a high value on the availability of alternatives.

SHOULD PARENTS OF NONPUBLIC SCHOOL STUDENTS BE HELPED BY PUBLIC FINANCING?

The issue of the public financing of nonpublic education is highly complex. In every state where legislation has been proposed, it takes a different form.

To obtain some insight into the way the public would view a radically different approach to the public financing of all schools, the question, stated below, was asked of the entire national sample:

> "In some nations, the government allots a certain amount of money for each child for his education. The parents can then send the child to any public, parochial, or private school they choose. Would you like to see such an idea adopted in this country?"

It should be pointed out that there are many ways of giving financial aid to nonpublic schools, some of which are now in effect. The merit of the question stated above is that it puts the whole issue in a new context, although it has the drawback of posing an unfamiliar plan for financing all types of schooling.

Responses to the above question, which were identical for both the entire national sample and the three-school areas, showed the following division of opinion:

Those in favor of this policy	37%
Those who oppose	59%
No opinion or No answer	4%

The chief objection to this idea is that it might give the government too much control over "what to do and where to go" (20%). The next most frequent criticism is that parents should pay for any schooling that is not public schooling (10%), and that it would raise taxes (6%).

About half who favor the plan give as their reason that parents should have a choice of different types of schools for their children, and about half favor it because they think the plan would help needy children and promote equal educational opportunity. The lower income groups support this proposal to a much greater extent than do the highest income groups.

DO OPINIONS ABOUT NONPUBLIC SCHOOLS DIFFER BY SOCIO-ECONOMIC GROUPS? RELIGION? RACE?

Examination of the findings on key questions dealing with private education fails to show very great differences by socio-economic groups. For example, on the question of having the three-school system in new cities, all the major groups voted in favor--and by substantial margins.

Younger persons are slightly more in favor of the three-school system than older persons (81% aged 21 to 29, 73% aged 30 to 49, 67% over 50). Those who live in the largest cities favor the idea to a greater extent than do those who live in the smaller cities. Roman Catholics, understandably, favor the idea more than Protestants. Actually, no important segment of society voted against the idea.

On another key question, government financial support of nonpublic schools by means of allotments to parents, those most in favor are Roman Catholics. Young adults are almost evenly divided, as are persons living in the largest cities and those in the lowest income categories. But with the exception of Roman Catholics and non-whites, all groups cast more votes against than for this form of financial support of nonpublic schools.

When responses to other questions asked in this survey are examined, opposition to nonpublic schools is not found in any large group in the population. One reason, perhaps, is that each respondent perceives some type of private or parochial school that is available to the religious or socio-economic group he represents.

Analysis of all responses according to age reveals consistently that the younger the age group, the more favorable the view of nonpublic schools.

The number of Negro adults in the general population is approximately 10 per cent. The number reached in a survey of the general population is consequently too limited to enable definite conclusions to be reached. In the present survey, the views of black parents in general differ little from those of the entire sample.

Firm supporters of the position that all students should be enrolled in public schools are to be found, but they are few in number and the arguments they usually advance have not made much impact on the general public.

DIVERSITY, COMPETITION AND NEW EDUCATIONAL IDEAS IN SCHOOLS

The relative advantage or disadvantage of diversity in educational institutions can be examined in two ways: diversity for the sake of offering different learning environments, and diversity for the sake of competition to raise standards.

The turmoil that has engulfed some public schools is not prevalent in the private and the parochial schools. Many observers believe this is the result of the voluntary enrollment and control of student admissions enjoyed by nonpublic schools. Nevertheless, because they have been largely free of disorders, nonpublic schools are cited by the public as examples of the kind of discipline that should be maintained in all schools.

The parochial schools especially are praised for the discipline they maintain. Among other things, private schools are thought to regulate the dress and deportment of their students to a far greater extent than do the public schools. Since "lack of discipline" is currently the greatest criticism of the public schools,[2] the nonpublic schools profit greatly by the comparison.

The public tends to agree with the view often put forth by educators that competition between diverse school systems increases the quality of education. To shed light on this point, the following question was asked:

> "Some people say that having schools of different kinds in a community is a good thing because the competition increases the quality of education. Do you agree or disagree with this?"

The responses show that for the entire sample 40 per cent agree, 33 per cent disagree, and 27 per cent have no opinion. For the three-school area, the percentage who agree is higher. The figures: 48 per cent agree, 34 per cent disagree, and 18 per cent have no opinion.

The very sizable number without opinions points to a lack of conviction in this issue. Analysis of the reasons given for agreeing or disagreeing reveals that many respondents see no difference in the educational programs of the different types of schools, they are not aware of competition, or of improvements in the quality of education that have resulted from competition. In short, they agree that there is a theoretical advantage, but many have not seen it demonstrated.

Another interesting finding bearing upon the issue of diversity comes to light in two questions put to respondents. The first asked:

> "Which type of school do you think is in a better position to experiment and try new educational ideas--the private schools or the public schools?"

The national sample vote:

The private schools	40%
The public schools	54%
No opinion or No answer	6%

The three-school area voted in nearly reverse fashion:

The private schools	52%
The public schools	43%
No opinion or No answer	5%

The next question asked:

> "Which type of school do you think gives more emphasis at this time to new educational ideas--the private schools or the public schools?"

On this question the national sample voted:

The private schools	32%
The public schools	56%
No opinion or No answer	12%

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[2] CFK, Ltd., op. cit.

In the three-school area, the vote was as follows:

The private schools	43%
The public schools	47%
No opinion or No answer	10%

Thus, although the private school is seen to be in a favorable position to experiment and to try new educational ideas, most citizens believe the public school is more receptive to new educational ideas.

WHY DO PARENTS SEND THEIR CHILDREN TO PRIVATE SCHOOLS?

When citizens residing in the three-school areas were asked:

> "What are the chief reasons why parents send their children to private schools?"

the reason most often cited has to do with better education. The 64 per cent who give this reason state their views in various ways:

> "Private schools give children more individual attention."
> "Students get a better preparation for college."
> "Private schools can get better teachers."
> "The public schools are bad scholastically."

The second largest category has to do with social prestige. The 32 per cent in this group make these typical statements:

> "Going to a private school is a status symbol."
> "They want to keep their children in their own class."
> "To get them away from students who fight all the time."
> "Because they don't want their children associating with lower class children."

The next highest category (12%) is discipline. These are typical comments recorded:

> "Private schools supervise their students better."
> "They don't have to stand for nonsense the way the public schools do."
> "Children have to behave."

The next category, into which 10 per cent of the comments were placed, concerns segregation. Typical responses are:

> "To avoid integration."
> "There are no race problems in private schools."

WHY DO PARENTS SEND THEIR CHILDREN TO PAROCHIAL SCHOOLS?

When citizens residing in the three-school areas were asked:

> "What are the chief reasons why parents send their children to parochial schools?"

the reason most often cited has to do with religion. The 78 per cent who give this reason state their views in various ways:

> "Because they were raised as Catholics to believe that the only schools to send their children to are parochial schools."
>
> "No person is completely educated without exposure to all sciences. You can't teach Biology without Theology."
>
> "Because they want them to believe in God and grow up to be nice citizens."

The second largest category has to do with better education. The 13 per cent in this group make these typical statements.

> "Better quality of education and religious education."
> "Hope of specialized education."
> "Teachers take more time with the children."

The last category, into which 8 per cent of the comments were placed, concerns discipline. Typical responses are:

> "Because the nuns are strict and help parents raise good kids, makes it easier on us."
> "Better maintenance of discipline and authority."
> "Better supervision, better moral standards--teamwork in whatever he does."

WHY DO PARENTS SEND THEIR CHILDREN TO PUBLIC SCHOOLS?

When citizens residing in the three-school area were asked:

> "What are the chief reasons why parents send their children to public schools?"

the reason most often cited has to do with finances. The 52 per cent who give this reason state their views in various ways:

> "They are paying taxes and they do not want to pay twice, which they would be doing."
> "Way of educating them most practical."
> "It's the best available for the average family."

The second largest category has to do with availability and convenience. The 36 per cent in this group make these typical statements:

> "Public schools are everywhere for children to attend."
> "Because public school is what we have."
> "It's the most available and convenient."

The next category, into which 12 per cent of the comments were placed, concerns better education. Typical responses are:

> "Better qualified teachers, more up-to-date in courses."
> "Better education with advance teachings."
> "Because of smaller classroom size."

The next category mentioned was broader experience with different kind of people (12%). These are typical comments recorded:

> "Heterogeneous group racially and religiously. There's value in exposure to wide variety of ethnic groups."
> "Kids would come in contact with a wider range of students, rich and poor alike."
> "It's good for a child to grow up with all kinds of people and not live in a narrow world."

The last category, into which 8 per cent of the comments were placed, concerns requirement by law. Typical responses were:

> "Because education is compulsory."
> "Children must attend school until they become of age."
> "Everyone has to go to school, and it's there for them to use."

DO PRIVATE SCHOOLS GIVE STUDENTS A BETTER SENSE OF VALUES?

Private schools often maintain that they can do a better job of building a sense of values than do the public schools. To discover whether the public agrees with this view, the following question was asked:

> "Suppose a child could attend either a private school or a public school. Which do you think would do a better job in building character and a sense of values--The private school or the public school?"

When responses to this question in the three-school areas are tabulated, they show this division:

The private school	49%
The public school	39%
No opinion or No answer	12%

While the public casts its lot with the private schools on this point, it should be pointed out that this advantage is seldom mentioned when the merits of private schools as opposed to public schools are listed by respondents in replying to these questions:

> "If you had the money, or if your children could get free tuition, would you send them to a private school, to a church-related (parochial) school, or to a public school?"
>
> "If you were to rate the quality of education received by children in your community, which one would you say is best--private, parochial, or public school?"
>
> "What are the chief reasons why parents send their children to private schools?"

WHAT KIND OF STUDENTS SHOULD PRIVATE SCHOOLS ACCEPT?

The public would like to have the private and parochial schools take students of all kinds and from all levels of society rather than concentrating on students who are academically gifted or who have special learning problems. Apparently, most parents would like to think that their own children might attend or that they, themselves, could have attended a private school when they were of school age.

The following question was asked of the national sample:

> "In your opinion, what kind of students should a private school accept? Should it exist primarily for the academically gifted, for the weaker students who need more personal attention, or for all students?"

For the national sample the responses reveal this division of opinion:

The academically gifted	7%
The weaker students	22%
All students	66%
No opinion or No answer	5%

In the three-school areas, the results show:

The academically gifted	8%
The weaker students	16%
All students	73%
No opinion or No answer	3%

It is interesting to observe that while many private schools state their purpose to be the provision of rigorous schooling for selected students who will be future leaders, the public endorses a broader mission embracing all families and students.

When the persons who comprise the national sample were asked if acceptance should be based entirely on test scores and grades, they voted:

For test scores and grades entirely	26%
Against test scores and grades entirely	66%
No opinion or No answer	8%

In the three-school areas, the vote was:

For test scores and grades entirely	24%
Against test scores and grades entirely	72%
No opinion or No answer	4%

Another question asked whether family background should be considered. The national responses show:

For considering family background	21%
Against considering family background	73%
No opinion or No answer	6%

In three-school areas, the vote was:

For considering family background	18%
Against considering family background	78%
No opinion or No answer	4%

When this question was put to the national sample:

> "Should all children from a given family be accepted, even though some are good students, others not so good?"

the national and three-school area responses were nearly identical:

Yes	58%
No	35%
No opinion or No answer	7%

WHAT KIND OF PRIVATE SCHOOLS DOES THE PUBLIC PREFER ?

All persons included in the survey were asked to give their views about the kind of private schools they would prefer: a boarding school or a day school, a single sex school or a coeducational school.

The first question asked:

> "If you were to send your child (children) to a private school, would you prefer a boarding school or a day school?"

The vote of the national sample:

Boarding school	11%
Day School	63%
No opinion or No answer	26%

The vote of persons living in three-school areas:

Boarding school	11%
Day school	71%
No opinion or No answer	18%

The vote of parents with children now enrolled in private schools:

Boarding school	11%
Day school	76%
No opinion or No answer	13%

The question of the single sex as opposed to the coeducational private school produced these results.

The vote of the national sample:

Single sex	12%
Coeducational	72%
No opinion or No answer	16%

The vote of persons living in three-school areas:

Single sex	12%
Coeducational	74%
No opinion or No answer	14%

The vote of parents with children now enrolled in private schools:

Single sex	14%
Coeducational	69%
No opinion or No answer	17%

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APPENDIX III
Statement of Cary Potter
Senate Subcommittee on Education
December 2, 1971

Independent Schools

PATTERNS IN DIVERSITY

Dr. Otto F. Kraushaar, former President of Goucher College, has completed a three-year study of the American nonpublic schools. A Danforth Foundation Grant of [illegible], and assistance from other foundations, supported the extensive report to be published by the Johns Hopkins University Press this spring. Collaborators, organizations, and foundations providing important assistance in this project are acknowledged in the report.

Nonpublic Schools

Considering the fact that nonpublic schools in the United States enrolled annually during the 1960's on the average about 6.5 million elementary and secondary school pupils, the American public appeared, until recently, to be surprisingly uninformed about them, their various types, how they are funded and managed, and so on. The Gallup poll, "How the Public Views Nonpublic Schools," found in 1969 that "by almost every test the public reveals little knowledge about nonpublic schools . . ." Despite this lack of information about private or nonpublic schools, about 84 percent of the people living in communities where private schools exist believe such schools should be included in newly planned cities. Though private schools are little known outside the circle of their patrons, they are widely accepted, nevertheless, as natural expressions of American pluralistic society with its variegated ethnic, religious, and class components. The overwhelming majority of Americans believe, "there should be a right to choose." Yet the nonpublic schools, enrolling from about 12 to 13 percent of all elementary and secondary school students in the United States, are seldom taken into account in planning the nation's educational resources, either by states or nationally. These schools have no national council serving as a spokesman for their interests and needs, though one appears to be in the making. They are not represented in the U.S. Office of Education, though that agency periodically disseminates statistics regarding private schools. The National Education Association with its strong public school orientation pays them little heed, while the American Council on Education, whose title suggests an all-inclusive interest in education at all levels, treats the nonpublic school with benign neglect. Some state boards of education do not even list the private schools within their boundaries.

New Attention

But a new day is dawning. Now that education is on the threshold of a major reexamination and reorganization, public policy-makers who hitherto regarded nonpublic schools as merely tolerated fringe institutions, now see them both educationally and financially as a vital national resource. It is to the credit of the Educational Commission of the States that it took this position from the beginning. Moreover, the debate over state aid to nonpublic schools is acquainting many voters not only with the facts of life about these schools, but with what their demise in large numbers would entail, educationally as well as financially. President Nixon's appointment of the Panel on Nonpublic Education in 1970 is further evidence of the growing national concern over the fate of private schools.

The Study

Given these recent developments, the time was ripe for a searching study of American nonpublic schools: their history, their traditional goals, their diversity, their evolving mission in this time of accelerating change, the effectiveness of their schooling, their problems and prospects, and their situation in regard to questions of public policy. What began in 1967 as "A study of the American Independent School", originally sponsored by the National Association of Independent Schools, expanded quickly into a study of all academic nonpublic schools, church-related and non-sectarian. The object of the search was threefold. The first was to characterize each of the manifold groups of the schools—Catholic, Protestant, independent, and Jewish as they are seen through the eyes of their patrons, students, teachers, heads, and trustees, and to take special note of the similarities and differences among them. This part of the work brings between the covers of a single book descriptive information of the history, goals, methods, outlook, and problems of schools as diverse as the various types of Catholic schools constituting roughly 80 percent of all nonpublic schools; the variegated Protestant schools comprising about 12 percent of the whole nonpublic domain, including Lutheran, Seventh-Day Adventist, Christian Reformed, Episcopal, Presbyterian, Baptist, Methodist, and Quaker schools, as well as the variety of evangelical "Christian" schools, and those of the smaller sects such as the Christian Scientists, the Amish and Mennonites, the Jewish schools, the Black Muslim schools, and the diverse group of independent schools, most of them non-sectarian, but with a close kinship with many of the Episcopal and Friends and a few Catholic schools, and including also a changing complement of experimental, free, and community schools, as well as black street academies and similar ventures.

The second aim was to consider the major problems confronting private schools today. Many are in a perilous financial condition brought on by rising salary budgets, the inflation of the costs of goods and services, and by most of the income-growth potential used up during the expansionist years. The goal is not only to point up the seriousness of the problem but to scout ameliorative steps. Another major problem concerns the contribution which private schools are making to the education of minority groups, to the young blacks particularly. The record is a mixed one with some heroic efforts carried on in inner-city schools for the most part by church groups, and a well organized program among the elite independent schools of the Northeast, but with the overall contribution leaving much to be desired.

Policy Problems

The third purpose was to grapple with the major issues of shaping policy for nonpublic schools. Most widely publicized among these is the question of state aid. The recent decision of the Supreme Court invalidating the so-called "purchase of secular services" failed to enunciate a clear principle that could serve as a guideline for the future. In fact, the decision seems to set up separate guidelines for schools in contrast to colleges, and for states in contrast to the federal government. The negative principle proclaimed by the Court—avoidance of "entanglement with religion"—appears to leave the door ajar for assistance directly to families by means of arrangements such as vouchers, scholarships, or tax credits.

A second cluster of public policy problems concerns state regulation of private schools and teacher certification. Since private schools perform a public function they are subject to certain forms of state regulation. Yet the rationale of private education is to be different from the public schools. Uppermost in setting limits to state intervention and safeguarding the freedom of the schools is the principle of democratic pluralism which recognizes that alternatives, choices, and multiple centers of initiative are essential for continuous social renewal. Good communication between the regulatory officers and the private schools is vital to a constructive relationship and appreciation of mutual responsibilities. Regarding teacher certification, the present standards have been under vigorous attack for a long time and have been characterized as "bankrupt" by James Bryant Conant. Nevertheless, private church schools evidence a strong desire to conform to public school standards in this respect, while the independents remain largely unconvinced. Regarding this central question of teacher education, the authors stress the importance of teaching performance above all other requirements and the even greater importance of systematic in-service education, of which there is far too little in nonpublic schools.

The Future

Finally, what is to be the form of the evolving private school of the future? After the intense criticism, searching, and piecemeal reform of the sixties, there is emerging now a positive sense of direction and threads of unity. There is growing concern for flexible curriculum, affective education, individualized instruction, independent study, greater involvement in the community beyond the school, the de-emphasis of grades and competition as well as the surfeit of petty regulations, and the granting to students a greater voice in school affairs. These projects seemed at first helter-skelter and were often incoherent attacks on the rigid school inherited from the nineteenth century. Taking shape simultaneously, however, is the unifying idea of a more humane, person-fulfilling, civilizing education of the heart as well as the head. Some private schools, each in its own way, are already well launched on the road to that new destination. Others remain confused and uncertain, yearning for the good old days and hoping that the ogres of change will dissolve as a morning's mist. An enormous opportunity awaits the private school to assume again its historic mission, to demonstrate its potential to respond to a new challenge, to utilize its flexibility and innovative capacity to redefine the goal of American schooling, and to redesign the school to enable it to fulfill its new mission effectively.

STATEMENT OF A. D. AYRAULT, HEADMASTER, LAKESIDE SCHOOL, SEATTLE, WASH.

Mr. AYRAULT. Mr. Chairman, as Mr. Potter has suggested the central question for today's hearing is the simple one: Is the private school in the public interest?

I would like to approach that question obliquely this morning, speaking first to some more fundamental concerns.

In even the brief history of this country, our system of elementary and secondary education is really a very new experiment, and there is real reason to ask if we know what we are doing, where we are going, and to ask whether our system and our legislation reflects some clear concept of that or, in fact, do we, as we survey the scene, see instead of a patchwork of fairly immediate and expedient responses to crisis?

I would like to suggest that there are three urgent societal concerns that should be in the background of our educational system.

The first is that today, all people—rich and poor alike—seem to experience a diminishing range of power and choice and control over their own lives. Even where facts really don't warrant this feeling the significant thing is that people experience the feeling of a loss of control, and this produces a general and underlying psychological malaise.

A second urgent concern would be the very special deprivations of the poor, and certain minorities, which might be considered just an extension of what I have mentioned, but I think is so much more severe that it becomes qualitatively different.

And a third concern is the popular notion of the accelerating rate of change and the applications of this for the need of our institutions to be self-renewing, and responsive to new kinds of conditions, new possibilities, and indeed, new aspirations of people.

The fact is that in a mass society the tendency is in the opposite direction. A mass society breeds massive institutions and systems which are more susceptible to stagnation and atrophy, so we have then an abruptly increased need for various mechanisms and strategies to insure this kind of responsiveness.

I would like to speak then today, primarily to the question of choice. Unfortunately, in an educational context the word—the concept is tarnished by segregationist rhetoric. We are not naive nor are we blind to abuses of choice, but I hope today we can speak of it as a simple, but indeed a very powerful, process.

More specifically, to the extent that all parents and students have a realistic choice among schools, I believe—I think most of us here believe—that all education will be healthier, more inventive and more directly useful to citizens and to their children. We know that it is unlikely that one could ever produce a system where there was a complete spectrum of choice for all citizens.

I would suggest, however, that the maximum extension of choice to the maximum number of citizens ought to be one of those clear, insistent guiding principles of all legislation, because where choice functions well, productive results accrue.

And second, because this is of one piece with this country's and this Government's commitment and faith in the individual.

During the years that I was privileged to work with Otto Kraushaar on his study of the American independent school, I became fascinated with choice, and the toll that many parents were willing to pay for the exercise of that in schooling.

It also was the years of the Kerner Commission, examining the violence in some of our cities and its conclusion, stated as one of its national objectives, that there was urgent need to meet, as also I stated slightly earlier, some way to give the poor the means to control and effect their own lives.

It also was the years when our national leaderhsip was proposing that in welfare, and indeed, in education, that to the extent that we abridged the right of people to choose alternate routes and control their own affairs, that we in fact dehumanize and perpetually made dependent those people.

The question is: Is it possible to use an expanded area of school choice to—on the one hand increase the level of interest and involvement of parental response and responsibility in education by giving them some significant decisionmaking power in the process, and also try to ameliorate these urgent special concerns by increase of the sense of psychological power by giving more people choice?

I would like to briefly review some of the general concerns about a possible increase of parental choice of schools.

First of all, there was a time in this country when there was a fear that immigrant parents would not choose schools and education that would provide sufficient commonality of language, culture, and history to assure a unified nation. The melting-pot concept of the public school was born of this era.

With hindsight, I am not sure it was either necessary or wise public policy decision. There was much cultural diversity loss, much richness lost, by this decision. In any event, only a person who sees ghosts could fear such a choice today, a choice based on national heritage and culture.

The acute observer, indeed, of today's scene, must fear instead the increasing tendency toward homogenization from our mass media, our mass markets, and mass institutions. Today's concern for possible increase of choice among schools relates to other kinds of devices—devisiveness, racial and socioeconomic. There will be other testimony today about racial devisiveness.

Suffice it to say here that one could still significantly expand choice among the schools while still limiting it carefully to avoid the destructive patterns of segregation.

The question of religious devisiveness is often spoken of in the same lump as racial, but it is really an extremely different matter. Andrew Greeley and Peter Rossi made an extensive sociological research based on a representative national sampling of Catholics, and this included an investigation of the charge of religious schools always are socially devisive.

They concluded that there is no significant difference in community involvement in interaction with non-Catholics concerned about worldly problems and attitudes toward other groups, between adult Catholics who received an education in Catholic schools and those who received their education in public schools.

Furthermore, Donald Erickson, researcher at the University of Chicago, suggests that possibly homogenous schools may often mitigate devisiveness rather than promote it, for they may provide a sense of security and identity which permits the individual to become more open, tolerant, and adventuresome in society.

Socioeconomic devisiveness is a problem, but it is an endemic problem in this country; witness the suburban public school. It, furthermore, is completely an error to conclude that most families in independent schools are wealthy; this is simply not the case. There are schools that cater to the wealthy, but in the first place they are a very small proportion of the nonpublic schooling and in the second place, the range of socioeconomic levels within those schools is not dissimilar to that in suburban public schools.

Furthermore, it is very clear and obvious that if one is to alleviate the problem of socioeconomic devisiveness, the most direct way to do that is to find ways to help the poor enroll in independent schools.

Indeed, if one could say that if the Oregon decision to which Mr. Potter referred earlier is some guarantee that there will always be some private schools in existence, then it becomes a matter, it seems to me, of wise public policy to try to make our—those private schools as little devisive as possible.

Another concern that is expressed about parental choice of schools, and this is a very popular concern, particularly among professional educators, is the question of the capacity of parents to choose. How indeed could parents possibly choose what would be a good school for their child if they haven't gone to a school of education.

Most people who support this belief generally except themselves, and it is rather surprising that in a country which has created this massive system, beyond anything else in history, to educate parents, where in 1900 we had something like less than 10 percent of people who were high school graduates, and now it must be well over 80 percent in spite of all of this educational effort, where we trust people to go into a voting booth to vote about matters of urgent national concern, we still do not trust them to choose a school for their own children.

Let me speak now a little more positively about choice. Most educators would agree that all education takes place within some value framework; it must. Those who are philosophically inclined will acknowledge that there is but a hazy boundary, really, between a value system and a system of religious beliefs.

There are a significant portion of Americans who believe that the public school does represent a distinct value system, and they would term it secularism. There would be those who would contend that this particular system is not dissimilar to a religious system.

Now, those who do believe that are ready to acknowledge that the bulk of Americans do believe in that system, and this justifies the support of schools therefore for that.

They would contend, however, that they are also to have the right to choose schools that are—that espouse various systems in which they believe. Most Americans, of course, hoot at this particular analysis of schools, and it strikes me that it is not dissimilar to the difficulty one has teaching students about distinctive elements of American culture. They are simply too close to it, too distinctively immersed in it to see distinctive elements, and even if you bring in very different cultures to try to graphically demonstrate elements of distinctive American culture, instead generally, what it tends to do is reinforce their feeling that their own lives and culture is the standard—is neutral, and other people deviate.

Moreover, we cannot ignore the burden placed on some families, even though public school educators try very hard to make schooling within their schools a neutral experience, religiously. Morally, the Amish find it difficult to put themselves in the worldly setting of the public school. Jews and Seventh-day Adventists, many of them find it difficult to adhere to the weekly schedule of school activities; for example, the Seventh-day Adventist boy who likes very much to play football, but is unable to participate, say on a Friday evening football game because of the observance of his Sabbath—the whole schedule of religious holidays within our schools places a burden on people of Jewish and Seventh-day Adventist faith.

The Fundamentalists—the daughter of a Fundamentalist family who is taunted by classmates because she will not wear makeup; the Christian Scientist required to take health classes in the public school—these are real day to day concrete issues wrestled with, contended with by real American citizens.

We believe that in an age that is searching for moral values, there is every reason to encourage and support families who wish to choose an education in the value system in which they believe and are ready to support. Presently, this freedom is denied to the poor and is extremely costly to the middleclass.

What is even more disturbing is that this choice of an independent school, and particularly one of a particular value or religious framework is being denied fiscally to an increasing portion of Americans. For the last 40 years, public spending for schooling has risen faster than per capita income. This means, then, that families are taxed for and have less remaining to meet the costs in private schools, but as public school expenditure rises, so also must private school expenditure, to match quality.

The Oregon decision in 1925, that States could not make a monopoly out of the State system of schools—but it is clear enough that a State could simply, by its fiscal policy, create a monopoly.

To illustrate—if we could pose it that tomorrow a State school system would triple its expenditure in schools, the families in the State would, of course, be the ones having to meet that tripled tax burden. They would have even less left of their income to meet private school costs, which also would have to rise in kind, and very few of course could afford schools under those hypothetical conditions.

Now, the same thing is happening in the country, albeit more gradually. There are psychological benefits that come from choice that are very simple, directly connected with human nature.

When we choose, we like to work to make and confirm that that choice was wise. We work to make it productive; we tend to minimize the negative features connected with the choice. A possible example, of course, is that the man who is assigned the doughnut looks very hard at the hole; the man who chooses the doughnut responds to more optimistic signals.

There is a question of principle or product made; a great many people who believe that our public school principals are really quite knowledgeable, that they and their staffs could do a job but their hands are tied, they do not have autonomy.

One of the reasons they don't have autonomy and power to do the job as they believe in it is because all parents are assigned to them, and are taxpayers given only that one school. They have no choice; this means that the principal must offer an educational program that is nonobjectionable to every parent within the school. The result so often is a bland neutrality, which as we know, bores students.

I have spoken recently with Dr. Robert Schwartz, who is the principal of John Adams High School in Portland, one that has received a great deal of attention as an experimental high school, and he has told me that one of the principal causes of the problems that school is currently experiencing is the fact that there is a significant minority of students and parents within that school who simply do not believe in the philosophy that that experimental high school is trying to project, but because they are assigned to that school they fight it all the way, because they have no other recourse to receive the kind of education in which they believe.

In the future there will be even greater need to choose between different educational aims and methods. The fact is that educational research is not converging to a single method, to a single point of the most effective education; instead, it is describing more precisely and more accurately a whole variety of options, some desirable, some undesirable, from which you could choose, and a whole variety of methods that you could take in pursuit of those objectives.

For example, we see this today in the very basic question of those parents, those researchers, who would support the concept of solid grounding in the basic disciplines, manipulative competence and accuracy, capacity for vigorous and sustained work, and others who would forego those things, as desirable as they might be, for a maximum development of the imagination or a support of personal spontanaeity, curiosity, and enthusiasm.

Every school and every teacher must strike some balance between those ends of the spectrum. The question is: Who should choose the right mix for a particular child?

It is not that we maintain here that there is some kind of natural wisdom that inheres in parents or children; it is simply that we question and fear that the placement of this responsibility on anyone else but the parent, for a country that esteems the independent individual and is apprehensive about conformity—I would say again that that responsibility ought to be placed with the parents.

Finally, there is the question of accountability, and responsiveness. I think it is not either exaggerated or radical rhetoric to note that today there are a number of inner-city schools that are virtually dead. They are corpses in which it is difficult to discern the signs of death, because those corpses have guaranteed enrollment and guaranteed fiscal blood.

What is even more disturbing is that there are some schools not yet dead, but seriously ailing, and we do not have clear and compelling indicators that help us spot that and force us to intervene.

There is nothing like parental choice to supply that kind of indicator. I have a very concrete example. I watch with fascination in my own backyard, just recently, an independent school that certainly suddenly found itself with about a 15 percent decline in its enrollment. It reacted very rapidly, dove into the center of the problem, questioned the parents, students, the Board decided very rapidly to make some replacements in personnel, to radically change the curriculum, and rules and regulations under which the school operated, and within a period of 4 months set the school almost in an opposite direction.

This all happened between May and August of 1 year.

My point is not whether or not the school's new direction was a sound one, but the fact that there was this speed and this depth of response in that short a period of time, all coming from the simple leave taking of 15 percent of the enrollment.

Furthermore, and I think this is very significant, there was not the toll of psychic energy, of anger, of confrontations that is necessary in the framework that we have established for most public schools to create this kind of transformation.

Now, the question is, with this interest in accountability—with it, does our education really reflect mechanisms that reflect that and insure that, a return to the original question—is the private school in the public interest.

I have tried to argue today that choice is in the public interest; independent schools are an outgrowth of choice. They are rooted and sustained in choice, from that standpoint alone, and I would say that there are others as well.

But from that standpoint alone I would say yes, the private school is in the public interest. Furthermore, I have tried to suggest that there is an increased need today for several reasons; for one, the trend to our decreasing sense of power in an increasingly complex society.

Second, to try to preserve some leaven of diversity against the momentum of a mass culture.

And third because of all of the reasons of accelerated change and the need for responsiveness. This has made an abrupt reinforcement of the need for choice, and I would say among public schools as well as among nonpublic—private schools.

Now, for the committee's responsibility—yes, it must be a matter of national concern that the nonpublic school is declining, with the clear implications of that which are explicit. We don't envy the committee this responsibility; we respect the burden that it has, and I know that all of us stand in readiness to help the committee formulate clear and appropriate policies.

Thank you.

(The prepared statement of A. D. Ayrault, Jr., and other information subsequently supplied for the record follows:)

Statement of A. D. Ayrault, Jr., Headmaster, Lakeside School,
Seattle, Washington, before U.S. Senate Subcommittee on Education,
December 2, 1971

A central question for today's hearing must be, "Are private schools in the public interest?" To gain perspective the question should be approached obliquely, starting with more fundamental concerns. Consider three urgent societal problems which should be of foremost concern to public policymakers:

First, in our mass society individuals experience a diminishing range of control and choice over major matters that affect their personal lives and communities. They perceive an increasing number of decisions made for them by someone else, resulting in an underlying psychological malaise and debilitation.

Second, the poor and certain minorities face particular deprivations and inequities, in part an extension of the general lack of autonomy just stated, but qualitatively different in severity.

Third, in a world of accelarating change there is increased need for institutions to be responsive to new conditions and aspirations, while simultaneously a mass society tends in the opposite direction, breeding massive systems inherently susceptible to stagnation. These mutually opposed trends abruptly sharpen the importance of any mechanism which enhances institutional responsiveness.

Unfortunately, it is altogether too easy to lose sight of these issues because they are fundamental and general rather than specifically pressing. But they are matters of profound importance, and our institutional systems and legislation ought to be examined carefully in light of these concerns. Expanded individual choice would clearly ameliorate the general conditions, and because our hearing today is about education, we should examine the implications for schools. Certainly few institutions affect as many lives as our school systems, so any response from this quarter alleviating the general concerns would have wide impact.

Segregationist rhetoric has given unfortunate political overtones to the concept of choice among schools today. Without being blind to the possible abuses of choice, it can be suggested that there are ways other than exclusion of choice to limit or prohibit destructive patterns of segregation. Too, although a complete spectrum of choice among schools for all families may not be possible, the maximum expansion of choice for the maximum number of citizens ought to be a clear, guiding principle of legislative action, if only because it is of one piece with this country's commitment to the individual.

Lest this sound too simple and theoretical in relation to the problems of a complex urban society, it is pertinent to recall that the Kerner Commission, investigating the epidemic of urban rioting in 1967, listed as one of its principal objectives for national action: "Removing the frustration of powerlessness among disadvantaged by providing the means for them to deal with the problems that affect their own lives."[1] More recently, national leadership has suggested that no matter how well intended institutions of welfare may be, if they bridge an individual's power to choose, to take alternate routes, to control his own affairs, the victim is dehumanized and becomes perpetually dependent.

A brief review of general public concerns about parental choice of schools may be helpful. There was a time when it was feared that immigrant parents would fail to choose schools which would include sufficient commonality of language, culture and history to create a unified nation. The concept of the public school as a melting pot was born of this era. With hindsight it is not clear that this was a wise or necessary public policy decision. In any event, one mourns and wonders at the cultural diversity and richness lost as a result. But only a man who sees ghosts can fear today a similar exercise of choice, one based on the diversity of national heritage and culture. Indeed the astute observer must fear instead the overwhelming momentum of homogenization that results from mass media, mass markets, and massive institutions.

Some people believe that increased choice would lead to racial, religious, or socio-economic divisiveness. It has already been suggested that there are ways to limit or prohibit racially segregated schools. Public schools are subject to court orders, and private schools are influenced by state approval requirements and tax laws. Examples of legislation in other areas, such as housing and employment, expand the means for public scrutiny of racial discrimination, making expansion of choice still possible even if it must in some instances be limited or monitored.

Religious divisiveness is often referred to in the same lump with racial divisiveness, but is a very different matter. The careful research of Andrew Greeley and Peter Rossi, based on a representative national sample of Catholics, included an investigation of the charge that religious schools are socially divisive. They concluded that there is no significant difference in community involvement, interaction with non-Catholics, concern about "worldly problems", and attitudes toward other groups, between adult Catholics who received their education in Catholic schools and those who received their education in public schools.[2] Further, Donald Erickson suggests that ". . .culturally homogeneous schools may often mitigate divisiveness rather than promote it, for they may provide a sense of security and identity that permits the individual to become more open, tolerant, and venturesome."[3]

Socio-economic divisiveness is a more difficult problem, but an endemic one--witness suburban public schools. It is, however, simply an error to believe that most families in private schools are wealthy. There are schools catered to by the wealthy, of course, but these are a very small proportion of nonpublic schooling in the first place, and the socio-economic diversity of affluent private schools is not dissimilar to that of suburban public schools. Furthermore, this diversity is achieved in private schools only through extraordinary financial effort in the form of scholarhip programs. The most obvious and direct way to alleviate socio-economic divisiveness in private schools, in any event, is to make it possible for more children of the poor to enroll.

Some people oppose parent choice of schools because they believe few parents (themselves excepted, of course) are capable of making wise decisions. For all our democratic tenets we often have surprising lack of faith in the judgment of our fellow men even in matters that affect only their own lives and children. This despite the broadest system of schooling ever designed to nurture an educated citizenry capable of making intelligent decisions, not only personal but in public affairs as well.

It is pertinent for legislators to ask how the general public feels about the existence of private schools. Does the public believe them to be basically undemocratic? If one could begin again would most citizens favor a single system of public schools which all children would attend? In 1969 Gallup International surveyed American public opinion regarding nonpublic schools. The following question was posed:

> ". . .there is talk about taking open land and building new cities in this country. New cities, of course, would include people of all religions and races. If such communities are built, should there be parochial and private schools in addition to public schools?"[4]

Those who fear the divisiveness of private schools were thus given clear opportunity to register this opinion, and yet, for the nation as a whole, 72% said that parochial and private schools should be included when building new cities, while only 23% preferred a single system. Students of public opinion will recognize that this is an overwhelming response--over 3 to 1 in favor--in a nation of independent-minded citizens where a presidential election is considered a land-slide if 55% of voters favor one candidate.

In many American communities private and parochial schools do not exist, so it is interesting to analyze the above response further, looking only at citizen responses in those communities where private and parochial schools are present. Do citizens in these communities, where the possible effects of divisiveness would have been directly experienced, reflect greater or less concern for the existence of independent schools? In a very significant finding, this further analysis shows that in communities where independent schools are known, those who favor a three-way system increase to 84% while those who favor a single system decline to 12%.

Let us return to the question of religious schools. Most schoolmen would acknowledge that all education takes place in some value framework. The boundry between a value system and a system of religious belief is hazy. A significant proportion of Americans believe that our public schools operate within a specific set of values which they do not wholly endorse, a system they generally label "secularism". Some people contend that this "ism" is virtually the same as a religious system. That most Americans would hoot at such an analysis is parallel to the difficulty students have perceiving the distinctive elements of their own American culture because they are so instinctively immersed in it. Even study of a very different culture often serves only to confirm the notion that one's own way of life is "standard" or "neutral", while other people deviate from the norm.

Those who reject "secularism" concede that the bulk of Americans accept this value system thereby justifying secular schools. They contend, however, that others should have the freedom to choose schools that operate within the value systems which they espouse.

Moreover, the burdens placed by secular schools on the beliefs of some families cannot be ignored. While it is the aim of public educators to assure the religious neutrality of public schooling, education does not take place in a moral vacuum that leaves the student's aspirations and beliefs unaffected. It is still difficult for the Amish to accept the public school's worldly setting, for some Jews or Seventh-Day Adventists to adjust to the weekly pattern of school activities or the schedule of religious holidays, for the daughter of a fundamentalist family to survive the taunts of classmates when she wears no makeup, for the Christian Scientist to sit in required health classes. These are real, day-to-day issues and real American citizens who are forced to contend with them. They are the genesis of many of the nation's nonpublic schools. In an age that is searching for and re-defining moral values, we see every reason to encourage and assist parents to educate their children in the value framework of their own beliefs. At present this freedom is denied primarily to the poor, and is extremely costly for the middle class.

More disturbing is the fact that such a choice is being denied realistically to an increasing proportion of the population. In the past forty years public spending for schooling has been rising faster than per capita income.[5] Private school costs must also rise to remain competitive. The net effect is that it takes a greater share of a family's income to choose a private school while a smaller share of income remains after taxation for the increased public school support. In other words the relative cost of opting out of the state system is rising and fewer families are realistically free to pursue this alternative. The so-called "Oregon Decision" of the Supreme Court[6] declared that a state could not create a monopoly in schooling, but it is plain enough that a state could create a virtual monopoly by fiscal policy. To illustrate, were the state suddenly to triple expenditure for public schools, private school expenditure would have to keep pace, and a given family would have even less income to pay the higher private tuition after the tripled school taxes were deducted. In the real world this process is happening, albeit more gradually.

Although this situation is serious enough in its general implications for freedom of choice, it is especially serious in respect to religious freedom. In the 1963 Supreme Court case of Sherbert vs. Verner,[7] it was held that a law requiring Seventh-Day Adventists to be available for Saturday employment before they could qualify for state unemployment compensation was an unconstitutional abridgment of religious freedom. In its opinion the court argued that modern government and public institutions have become so pervasive, that they can no longer remain aloofly neutral on all religious issues. Instead, in a manner analogous to tax support of military or prison chaplains, government must be ready to take a more active role if it is to avoid indirect curtailment of religious freedom. Certainly there are denominations today, especially those whose beliefs tend to counter prevailing cultural norms, who believe they must educate their own children in the total context of a religious school if the values and traditions they espouse are to be transmitted to a younger generation--in short, a simple matter of cultural and religious survival. Is it not the case that our present system of school finance says to such people, "You are free to attend your own schools--just so long as your religious group is affluent enough to support its own schools with the income that remains to you after paying for the public school system." Should government not be concerned about the religious expression of groups not wealthy enough to accomplish this after meeting the public school tax burden?

When people are able to choose, moreover, there are important psychological results. In a word, most people want to believe their choices are wise, so they will generally work to make them so. They will even rationalize and minimize any negative aspects of their choice. The man who is assigned a doughnut tends to measure the size of the hole. The man who chooses his doughnut responds to more optimistic signals. A subtle difference--perhaps--but how powerful might the effect be on the atmosphere within a major urban high school if one could imagine it more freely chosen by students and parents?

A principal is placed under considerable constraint when he must offer an educational diet which is unobjectionable to every parent who has been assigned to his school. The result too often is a bland and cautious neutrality best suited to avoid controversy and bore students. Dr. Robert Schwartz, principal of John Adams High School in Portland, a widely publicized experimental public school, has noted the difficulty of maintaining a constructive atmosphere within a school when a significant minority of its students and parents do not believe in the school's basic philosophy. Since they must attend the school because of their residence, they have no other recourse but opposition and complaint if they wish to receive the kind of education in which they do believe.

One must be sympathetic with the cause of the complaining parents. What safeguards exist for a parent whose child is placed in a school perceived to be ineffective or damaging? Under our present system the only finanacially realistic alternative is to change or reform the whole school--perhaps even the district system--rather a formidable undertaking for anyone, and unlikely to be accomplished rapidly enough to protect that parent's child even if successful. Only the immediate alternative of withdrawal seems adequate as a safeguard for the concerned parent who does not consider his child expendable.

In the future there will be even more need than exists today for positive choice between different kinds of schooling, each of which is appropriate for desirable but different goals. The results of educational research are not converging to the point where a particular method or approach or a certain type of school will be proven most effective and sacrosanct. Instead, we are moving in the other direction.

One example of this divergence can be seen between those who seek for their children a solid grounding in the basic disciplines and a capacity for rigorous, sustained work, in contrast to parents who are willing to sacrifice these ends, worthy as they might be, in order to ensure maximum development of creative imagination and spontaneity. Every school, every teacher has to strike a balance between these worthwhile objectives. But who is to say which mix or emphasis is best?

Some educators believe that compulsory school attendance laws will be modified one day so that students may demonstrate by examination progressive acquisition of the skills necessary for fully functioning citizenship--which is, after all, the state's interest in promoting schools. Students will then be freer to seek an even wider variety of educational training than exists for young people today--from museums, trade schools, correspondence courses or apprenticeship arrangements, for example. That day will be hastened as choice among schools becomes more customary, and mechanisms are developed to provide financial support for a wider range of options Much the simplest device for the latter would seem to be providing directly to the parent some sort of coupon which can be cashed in to support a wide variety of educational activities.

Finally, there is the matter of the accountability of our institutions. It is not exaggerated or radical rhetoric to observe simply that an unfortunate number of our nation's inner-city public schools are virtually dead--they are corpses whose death is difficult to discern because they have a guaranteed enrollment and guaranteed fiscal blood. Of equal concern, there are schools seriously ailing which might be saved by appropriate intervention, but there is no compelling indicator to force remedial action. There are few devices as effective as parental choice to generate accountability. It takes little more than a 10 or 15% withdrawal of students to signal to a school board and administration that something is seriously wrong, demanding immediate correction. Furthermore, this simple process of leave-taking does not require the extraordinarily high toll of psychic energy and frustration, anger and confrontation ordinarily necessary to affect major changes in a public school.

We should return to the original question, "Are private schools in the public interest?" Certainly individual choice is in the public interest, and nonpublic schools are rooted and sustained in choice. From that standpoint alone, then, they serve the public interest.

It has been suggested further that there is a significant increase in the importance of choice in our time for several reasons: first, many people, especially the poor, feel less control over matters that affect their own lives as society becomes more complex; second, there is increased need to preserve the leaven of diversity before the ponderous momentum of mass culture; third, the pervasiveness of modern government and public institutions requires a more active governmental intervention to ensure that religious expression is not indirectly curtailed; fourth, educational research and development is expanding rather than shrinking the range of possible alternatives in schooling from which to choose; and fifth, accelarating change demands a new speed and depth of adaptation by our institutions, reinforcing the importance of consumer choice as one effective strategy to stimulate institutional response.

That nonpublic schools are actually declining in enrollment must be a matter of serious legislative concern and clear analysis. It is a heavy responsibility to ensure that a vital educational resource is not undermined. All of us here stand in respect of that burden and in readiness to help as we can in the establishment of clear and appropriate policy.

Notes

[1] Report of the National Advisory Commission on Civil Disorders (New York: Bantam Books, Inc, 1968), p. 413 New York Times edition.

[2] Andrew M. Greeley and Peter H. Rossi, The Education of Catholic Americans (Chicago: Aldine Publishing Company, 1966), p. 224.

[3] Donald A. Erickson, "Contradictory Studies of Parochial Schooling: An Essay Review," School Review LXXII, (Spring, 1964), p. 425.

[4] A Study of the American Independent School, How the Public Views Nonpublic Schools (Cambridge, Mass., 1969). Copies available from National Association of Independent Schools, Boston, Mass.

[5] Charles S. Benson, The School and the Economic System (Chicago: Science Research Associates, 1966) p. 72.

[6] Pierce v. Society of Sisters, 268 U.S. 510 (1924).

[7] Sherbert v. Verner, 374 U.S. 398 (1963).

A Study of the American Independent School
6 Appian Way, Cambridge, Massachusetts 02138

DRAFT: September 12, 1968

A PROPOSAL FOR EDUCATIONAL ALLOWANCES

Technology and enterprise have brought to modern man unprecedented power, abundance and a transformed world. Yet many individuals living in the power-laden environment are frustrated by a lack of control over their own lives, are troubled by poverty in the midst of abundance, and by stagnant institutions unresponsive to change. As these and other symptoms of societal tension mount, reassessements in every quarter of our national life become the order of the day. Legislators and policy makers attempt to avoid stopgap measures that respond to highly visible symptoms in favor of solutions that are durable because they spring from revaluation of fundamentals.

Americans have a national reflex for looking to education for the solution of perplexing social problems, and in consequence the length and breadth of public schooling in the United States is without peer. However, schools are human institutions subject to inertia and tend to bog down in the very social problems they are meant to solve. And so the proliferating literature of education is replete with radical proposals concerning every aspect of school work: goals, curricula, teaching and teacher education, guidance, administration, facilities and ever mounting cost of the whole enterprise.

Among these problems the need for heavier expenditures, for inner city education especially, is emphasized over and over. Today in city after city the failure of public schools to reach and help deprived children adds up to a national scandal. But the amount of money is not the sole issue. Too little attention is directed to the mode of financing the schooling of children. How the money is distributed, and to whom, conditions the organization, availability and effectiveness of schooling, and proves to be of considerable importance when one examines the broad implications. In the time honored procedure, states, municipalities and the federal government finance the schools directly through their public management. The advantage of this method is its relative directness. But it suffers the defect of its virtue by guaranteeing financial support regardless of performance, thus averting dynamic competition between schools and encouraging the growth of vast and often sluggish bureaucracies.

An alternative is to finance education by means of inversely graduated educational allowances issued to parents for the cost of their children's schooling. This plan is a response to three broad, urgent social concerns:

--The diminishing range of individual power, control or choice in matters that affect personal life and community development;

--The deprivations of the poor and their inequitable share in American resources and opportunity;

--The necessity for all institutions, including schools, to remain relevant to a changing world and responsive to new methods and aspirations.

The theme of this paper is that a properly designed educational allowance would expand choice for the poor at a time when they need every possible increase in the power to direct their own lives; that choice and personal control are vital now that education is decisive for personal development and the general welfare; that education becomes more productive as it is freely chosen, and schooling more responsive to a world of accelerating change if grossly inferior schools are susceptible to loss of enrollment through competition with other, better schools; that allowances would promote the equalization of educational opportunities and strengthen rather than impair the dual system of public and private schools. This analysis will stress the psychological, educational and social implications of educational allowances, rather than emphasizing fiscal details. It is admittedly speculative and long range in view.

The proposed plan is not, however, thrust on the educational scene gratuitously. There are scattered precedents in the form of the G.I. Bill, the NDEA loan program, and programs of tuition grants issued to students for public or private college education currently provided by New York, Pennsylvania, New Jersey, Michigan and Wisconsin. Moreover, there are intimations of searching fiscal reforms in the method of public school finance. Several states are studying the merits of introducing state-wide finance for all public schools with a view to equalization and a broader tax base. Dr. James B. Conant has advanced such a recommendation to the Education Commission of the States. A number of states are also moving toward some form of aid to nonpublic schools. The result thus far is a patchwork of expedient responses to immediate problems, ranging all the way from providing school transportation, textbooks, lunches and other incidentals, to more concerted efforts in Pennsylvania, Ohio, Michigan and Rhode Island to provide substantial and continuing support for nonpublic schools.

The piecemeal response to new and growing financial demands must give way, sooner or later, to a comprehensive plan for financing schools. Planners of state-wide school finance must take into account also the issue of decentralized control and administration. And in the case of public aid to nonpublic schools, the funds must be disbursed in compliance with constitutional restrictions and in such a manner that the benefits of independence are preserved. We shall try to demonstrate that educational allowances would best meet these requirements. But before discussing these and other assumptions let us first spell out the modus operandi of educational allowances.

A PROGRESSIVE EDUCATIONAL ALLOWANCE

We advocate paying the costs of education by the use of an educational allowance for each student, redeemable at any approved school, public or private. The concept is neither new nor original, but it has never been tried at the school level except in very limited ways.[*] Adam Smith advocated a similar plan nearly two hundred years ago in *The Wealth of Nations*. Tom Paine, J.S. Mill and, in the twentieth century, Milton Friedman of the University of Chicago have advanced comparable proposals.[**] More recently, Theodore Sizer and Phillip Whitten of the Harvard Graduate School of Education proposed a "Poor Children's Bill of Rights" under which an inversely graduated coupon would be distributed to poor parents as a way of equalizing opportunity and underwriting the power of choice.[***] The present proposal, while differing from the provisions of earlier plans, combines certain of their features. Unlike the Sizer plan, however, it looks beyond the immediate needs of compensatory education for the disadvantaged in order to project a broader educational reform. The plan includes the following features:

1. Allowances would be graduated inversely to family income after adjustment for number of dependents and excessive medical expenses.

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[*] In sparsely settled parts of Maine and New Hampshire where public schools are not readily accessible the State pays a standard per head tuition for students enrolled in private schools in lieu of a public education.

[**] See Tom Paine, *The Rights of Man*, and J.S. Mill, *Principles of Political Economy*. Friedman's proposal was originally advanced in "The Role of Government in Education," *Economics and the Public Interest*, Robert A. Solo (Ed.), Rutgers University Press, New Jersey, 1955, pp. 123-144. The proposal is expanded and revised in Milton Friedman, *Capitalism and Freedom* (Chicago: University of Chicago, 1962), pp. 85-107.

[***] Theodore Sizer and Phillip Whitten, "A Proposal for A Poor Children's Bill of Rights," *Psychology Today*, (August, 1968), 59-63.

(See diagram p. 8a) The income tax mechanism, federal and/or state, would be used to determine the value of the individual allowance and its disbursal. The plan is feasible for adoption either at the federal level or by single states. National disbursement would help overcome existing disparities between rich and poor states, while state disbursement would correct the imbalance of suburban and city school expenditure per student. The plan could be readily integrated with a guaranteed annual wage (or negative income tax) as a single coordinated package, if such a proposal were adopted.

2. Allowances for the poor would be higher in value than public school expenditure for children of the well-to-do. The supplement would support compensatory programs, such as special language training, offsetting the educational handicaps of the poor. The enriched allowance would also serve as an incentive to both public and private schools to seek students among the poor. For all other students, allowances would meet the full cost per student when redeemed at a public school by any family, no matter how wealthy. If redeemed at a nonpublic school, the allowance for the affluent would be below public school expenditure per pupil, gradually reducing to zero for children of familes in high income brackets.

3. Any student would be assured admission to the public school in his district. He would also be free to apply for admission to any other school, public or private, gaining entrance in order of application, or competitively, within the limits of available places. Open enrollment would be limited only by restrictions necessary to prevent destructive patterns of racial segregation. Allowances could be redeemed only at approved schools certified by a proper agency and governed by a policy free of racial discrimination. Qualification could be determined by the six existing regional accreditation agencies, state departments of education, or established associations of schools.

Enforcement of non-discrimination would be admittedly difficult, but no more so than it is now in schooling, housing or employment.

4. Allowances could be supplemented from family income if parents decided to choose a nonpublic school. Spending family income for education beyond the shared tax burden serves to increase the total investment in American schooling. But few families today can afford the cost of nonpublic education in addition to paying their tax share of public school support. Under this proposal more families could afford a small supplement to the allowance if necessary to obtain the kind of schooling they desired for their children. In other words, the plan would contribute to closing the advantage gap between rich and poor, and at the same time increase the number of families who could consider private spending for education. All families would be required to declare their expenses for school tuition beyond allowances, for which they would receive modest tax credit designed to stimulate this practice and ensure accurate declaration. The total expenditure for schooling, public and private, and how it was distributed among various percentiles of the population grouped by family income would be reported annually, so that legislators could have accurate facts in setting allowance values, determining graduation scales, and adjusting public school expenditures to maintain a desirable balance. The report would help ensure that expenditures for the poor are in a just relationship to those of the well-to-do, while retaining the motivation for additional private spending to escalate the total investment in education.

5. Allowances could be designed to cover operational expenses of schooling only, or to include necessary capital expenditures and depreciation. If designed for operational expenses alone, capital needs for public schools could be met by local bond issues, property tax assessments or low-interest construction loans from state or federal government. Public or private schools would be eligible for the latter.

6. Although this proposal calls for change in the method of fiscal disbursement, it does not propose changes in the political process and public control of tax assessment, nor does it require changes of school control or administration, such as the total shift from public to private which Milton Friedman advocates. By channeling funds in a manner similar to the G.I. Bill, the support would be sufficiently indirect to allow as much local control or independence as desired to any accredited school. The emphasis would not be on the school's input, but on performance, outcomes and student-parent satisfaction. Specifically, public schools would continue to operate through local or metropolitan school boards. The plan would, however, encourage flexibility. New projects such as educational parks, contract operation of schools by industry or universities, independent subsystems, community-operated schools, decentralization, or metropolitan cooperation could be undertaken without having to recast the financial system.

7. Educational allowances would not preclude financing some aspects of schooling directly through institutional grants. Educational research, for example, could be supported directly by federal or state grants as in Titles I and III of the ESEA of 1965, or there could be increased emphasis on a system such as the twenty Regional Educational Laboratories to conduct or coordinate research and evaluation.* Organized entirely apart from operational responsibility for any one system of schools, agencies such as the Regional Laboratories might be less committed to traditional approaches and provide a better bridge between university research and all schools, public or private.

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*The Regional Educational Laboratory is an autonomous, quasi-public corporation governed by a broadly representative regional board including public and private educators from higher and lower education. It can be supported by a combination of tax, private or foundation monies.

8. A long-term educational loan program would be an effective complement to educational allowances. The Educational Opportunity Bank proposed for college students is a possible model.* This plan permits the college student to repay his loan over a period as long as 30 or 40 years, at a rate proportional to income following graduation. For secondary school loans the parent would assume this obligation and the term of repayment would be shorter, but the rate and time could be adjusted to family income.

The diagram on the following page suggests but one possible alternative for setting the value of allowances in relation to family income. The curve could be modified as conditions or legislative policy dictate.

For sake of illustration we have set normal public school expenditure at $1000 per student. To meet the educational needs of the poor we have taken as a financial guide the More Effective Schools program advocated by the American Federation of Teachers. This compensatory plan has been costing approximately $400 more than normal expenditure per student in some of the big city school systems where it is undergoing pilot tests.* Using this base, the allowance for the poor is $1400 per annum. As families become more affluent, the need for family compensation decreases, but holds steady for families below the poverty line. As income rises above poverty levels, compensatory funding is gradually reduced, but not so rapidly that incentive to earn is diminished. Even for the steepest part of the curve in our example the value of the allowance is reduced by less than half of any additional gain in family income.

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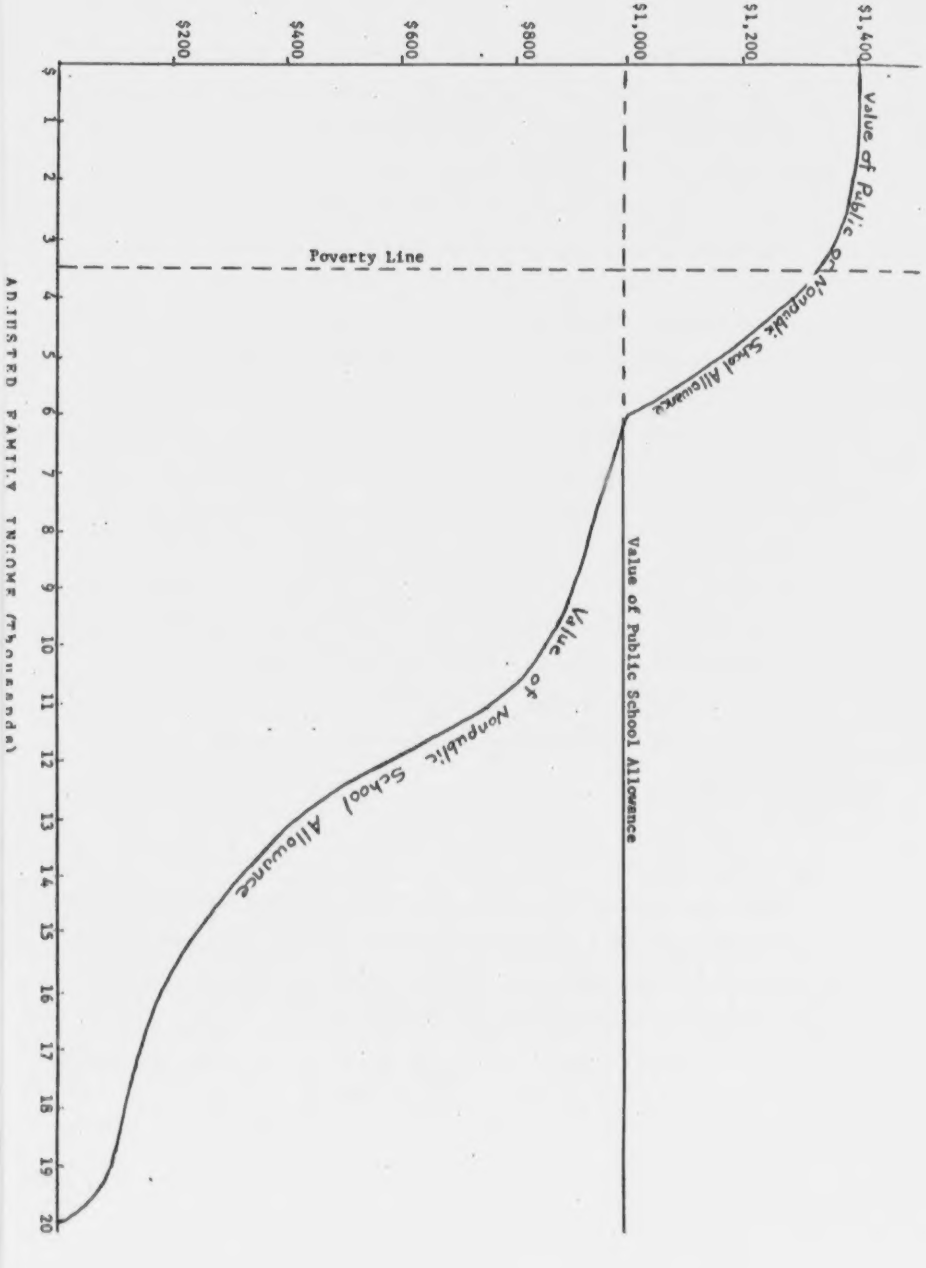
*Panel on Educational Innovation, Educational Opportunity Bank (Washington: 1967). Report issued by Chairman J.R. Zacharias under the auspices of the President's Science Advisory Committee.

*New York Times, August 21, 1968, "Split Threatens Teachers' Parley." Cities conducting MES programs are New York, Baltimore, Detroit, San Francisco, Newark and New Haven.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Poverty Line
Value of Public or Nonpublic School Allowance
Value of Public School Allowance
Value of Nonpublic School Allowance
ADJUSTED FAMILY INCOME (Thousands)

The amount of supplementary funding necessary to make school performance of the rich and poor approach a just balance could be determined experimentally and readjusted through experience. A separate schedule could be determined for blind, retarded, or other children needing special education, just as allowances and amount of supplemental funding would vary in relation to school age.

The right side of the diagram reveals how the more affluent would fare. For example every family with adjusted income over $6000 would receive the standard expenditure of $1000 for each student enrolled in a public school. If a family in the $6000 to $20,000 income range chooses a nonpublic school, the value of the allowance would be less than in the public school, with a rapid decline in value for incomes above $10,000. In our illustration a family earning over $20,000 would receive the normal $1000 allowance for enrollment in a public school, but would be expected to finance nonpublic education entirely from its own income.

Transition from the present method of finance to a system of allowances would present no insuperable problems. One state or community could establish the plan on an experimental basis, receiving foundation, state or federal support to initiate and evaluate the project. If adopted for more widespread use, a partial allowance could begin the transition, gradually increasing in amount to afford a smooth adjustment.

* * *

Three large questions arise immediately: Would this plan lead to a decline of the public school and a rapid growth in private schools? Would parent choice of schools lead to increased racial and socio-economic segregation? Would the proper separation of church and state be impaired?

PUBLIC VS. PRIVATE SCHOOL GROWTH

Under the proposed plan there might be some relative growth in the nonpublic sector of schooling, which today represents about 13 per cent of all school enrollment, but it is highly unlikely that it would be either rapid or substantial. Despite widely publicized criticisms, the majority of Americans are satisfied with the public school and there is no compelling reason to think they would not continue to be. Those who are dissatisfied, either mildly or bitterly, are not necessarily interested in private schools as such, they simply want good schools. Voluntary enrollment should stimulate all schools to respond to the improvements that parents seek. If public schools respond more rapidly or effectively than private schools, they will prosper. If not, they will deservedly decline.

There would be a significant change in the socio-economic and racial balance of students in the nonpublic sector under this plan. If the private school were no longer the exclusive preserve of the rich, if private schools enrolled both rich and poor, Black and White, their growth would not constitute a divisive threat to society. There would be some blurring of lines between public and private schools--the private school would be available to all segments of the public, and the public school would be attended voluntarily. Even if nonpublic schools were to double in proportion, which is unlikely in the foreseeable future, they would enroll slightly more than a quarter of American school children--hardly a serious threat. The relative growth rates since 1964 show the nonpublic schools in a slight proportional decline. Establishing a private school is generally more difficult than adding another public school to an existing system of schools, and private schools tend to be smaller than public schools. Thus there is little likelihood in this country of a substantial shift in relative size of public and private school enrollment. And such changes as might occur would be gradual.

RACIAL AND SOCIO-ECONOMIC INTEGRATION

Predicting the effect of educational allowances on racial integration is more difficult. For the public school, allowances would not affect the problems of integration significantly. All the present methods for combatting segregation could still be employed. Administrative control would not be affected, restrictions could still limit open enrollment to prevent segregation, school district lines could still be redrawn, metropolitan educational parks could be created.

In the nonpublic sector many schools would use allowances in order to broaden their enrollment, but there might be an increase in the number of predominantly segregated schools, at least in the short run. Some of the dissidents in public schools today would depart in order to create Black or White private schools. But to receive allowances these schools would have to be non-discriminatory. This would act as a needed check. Since dissatisfied Blacks would generally be leaving segregated schools, that migration should not increase segregation. In any case, few groups of parents, Black or White, have the unanimity of opinion, organizational ability, and persistence needed to start a school. In short, the possibility of a rapid spread of Black private schools is remote. The few that might spring up, if well run, might add a measure to the pride and dignity which the Blacks have been so long denied. If they should prove to be as effective as the Urban League's Street and Storefront Academies, Newark and Harlem Prep, or Operation Bootstrap in Watts, they might well send greater proportions of Blacks to good colleges and jobs, allowing them to take their place in society on an equal footing with Whites.*

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*"Academies for Dropouts", Time, (August 2, 1968), p. 50.

The possibility of escape schools for White re-segregation is more troublesome. The difficulty of starting and operating a private school would act as a constraint here also. Proper and discerning accreditation would eliminate the obvious dodges.

This would call for some expert policing to be sure, but in the long run there is no reason to believe that court action enforcing integration would be any less successful than it now is.

There are those who see the ability of the wealthy to "escape" to private schools as a breach of democratic equality. What is frequently overlooked is that many suburban public schools, supported by public funds, provide a similar "escape" through socio-economic imbalance. Since broader racial and socio-economic mix is socially and educationally beneficial, society would gain by making it possible for the poor or Black to attend private schools or suburban public schools. Allowances would substantially increase this possibility for the lower or lower-middle class without increasing the capacity of the wealthy to afford private schools. When parents are free to choose schools, in the long run they will choose, according to their lights, the better schools. The White exodus from inner-city schools has been less a flight from integration than a flight from bad education. The best teachers, the best educational administrators will have no part of racist education, and parents will seek them out.

SEPARATION OF CHURCH AND STATE

Allowances could be redeemed at any school providing a satisfactory secular education as certified by a proper accreditation agency. As long as a school provides the education necessary for literacy and knowledgeable citizenship it would contribute to the public welfare and justify public support. This has precedent in the operation of the G.I. Bill and state tuition grant plans which permit enrollment in any accredited college or university regardless of possible church relation, excepting only theological seminaries per se. Allowances would violate no constitutional restriction because, as in the G.I. Bill, individuals rather than institutions are financed for public, secular purposes. It is the people, not the state, who then support the institutions of their choice.

Most parents and educators agree that effective education takes place in the context of a value system. Many believe the connection is organic, and that their own value system is specifically religious. In an age that is searching for moral values, we see no valid reason to deny parents the right to educate their children in the value framework of their own beliefs. At present this freedom is denied the poor.

In the past forty years public spending for schooling has been rising faster than per capita income.* A greater proportion of family income is thus needed to provide tax support for public schools. Private school tuition also keeps rising to remain competitive in quality with the public school. The net effect is that it takes a greater share of a family's income to choose a private school while a smaller share of income remains after taxation for public school support. In other words the relative cost of opting out of the state system is rising and fewer families are realistically free to pursue this alternative. The Oregon decision declared that a state could not create a monopoly in schooling,** but it is plain enough that a state could create a virtual monopoly by fiscal policy. To illustrate, were the state suddenly to triple expenditure for public schools, private school expenditure would have to keep pace, and a given family would have even less income to pay the higher private tuition after the tripled school taxes were deducted. Very few families could consider any but public schooling under these hypothetical conditions. The educational allowance plan would arrest this trend and make it possible for rich and poor alike to choose schooling in a religious setting, if they believe it to be desirable.

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*Charles S. Benson, The School and the Economic System (Chicago: Science Research Associates, 1966) p. 72.

**Pierce v. Society of Sisters, 268 U.S. 510 (1924).

The careful research of Andrew Greeley and Peter Rossi, based on a representative national sample of Catholics, included an investigation of the charge that religious schools are socially divisive. They concluded that there is no significant difference in community involvement, interaction with non-Catholics, concern about "worldly problems", and attitudes toward other groups, between adult Catholics who received their education in Catholic schools and those who received their education in public schools.* There is modest reason to believe that for some members of minority groups the chances of successful integration into the larger society are increased if their schooling provides a firm support for identity with a subcultural group. Donald Erickson suggests that "... culturally homogeneous schools may often mitigate divisiveness rather than promoting it, for they may provide a sense of security and identity that permits the individual to become more open, tolerant, and venturesome."** Moreover, even though religiously homogeneous schools may be divisive in certain respects, they offer the compensatory value of preserving some saving diversity in an age of conformity and standardization.

Moreover the burdens placed by secular schools on the beliefs of some families cannot be ignored. While it is the aim of public educators to assure the religious neutrality of public schooling, education does not take place in a moral vacuum that leaves the student's aspirations and beliefs unaffected. It is still difficult for the Amish to accept the public school's worldly setting, for some Jews to adjust to the pattern of religious holidays and observances, for the daughter of a fundamentalist family to survive the taunts of classmates when she wears no makeup. It is essential to the future of American democracy to cultivate toleration and protect cultural differences, rather than eliminate them by a narrow application of the melting pot philosophy.

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*Andrew M. Greeley and Peter H. Rossi, The Education of Catholic Americans (Chicago: Aldine Publishing Company, 1966), p. 224.

**Donald A. Erickson, "Contradictory Studies of Parochial Schooling: An Essay Review," School Review, LXXII, (Spring, 1964), p. 425.

CHOICE: THE NEED AND THE POSSIBILITIES

White America has been puzzled or offended by Black America's demand for "freedom" coming a century after the Civil War. In a sense Blacks are already free, of course. But what is the quality of a freedom that provides so little choice and control over one's own life? Freedom without choice is a mockery, not only to Blacks but to poor Americans of any color.

Unfortunately "freedom" and "choice" are captives of current political rhetoric and are invoked even to defend schools or political systems that deny real choice to minorities. Cliches aside, however, the lack of choice may be one of the severest deprivations of the poor. No matter how well intended institutions of welfare and education may be, if they abridge an individual's power to choose, to take alternate routes, to control his own affairs, the victim is dehumanized and becomes perpetually dependent. To achieve the goal of "a single society and a single American identity", the Kerner Commission proposed the following among "objectives for national action":

> -Opening up opportunities to those who are restricted by racial segregation and discrimination, and eliminating all barriers to their choice of jobs, education and housing.
> -Removing the frustration of powerlessness among disadvantaged by providing the means for them to deal with the problems that affect their own lives, and by increasing the capacity of our public and private institutions to respond to these problems.*

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*Report of the National Advisory Commission on Civil Disorders (New York: Bantam Books, Inc., 1968), p. 413. New York Times edition.

Less understood are the effects of subtle limits on choice that pervade even more affluent groups due to an increasingly complex, interdependent, technological society. "Symptoms of alienation and depersonalization", writes Zbigniew Brzezinski, "are already easy to find. Many Americans feel 'less free'. This feeling seems connected with their loss of 'purpose', for freedom implies choice of action, and action requires an awareness of goals".[*] But until individual Americans see the possibility of realistic "choice of action" for school decisions, they are less likely to formulate their own educational goals or purpose. Society thus loses a potential resource of ideas and imagination, while individuals lose the mind-stretching that comes with thought and decision.

Education is, or should be, intensely personal. A student's concept of self worth is markedly affected by his school performance. The teacher's judgment of a student's capacity will significantly affect the student's academic performance.[*] At their worst schools can be terribly destructive.[**] And reform is a slow process--too slow for the immediate, legitimate concerns of a parent. But for most parents there is little or no alternative. Other public schools are generally unavailable because of attendance area restrictions or the great difficulty in proving cause for a transfer, and nonpublic schools are out of reach financially. Unless the aggrieved parent can arouse a large-scale protest, he expects to find his individual complaints lost in a layered bureaucracy or blunted against a union shield protecting teachers' rights. The parent fears that his ineffective protest may only serve to antagonize teachers and principal, thus further jeopardizing his child's progress. Relatively few families in the world of public education face such a dismal, frustrating prospect, but should it be suffered by any without adequate recourse? It is useful to test a system by its failures because

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[*] "The American Transition," The New Republic, December 23, 1967, p. 18.

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[*] Robert Rosenthal and Lenore Jacobson, Pygmalion in the Classroom (New York: 1968). An experimental test predicted students who could soon be expected to make significant academic improvement. Teachers were told which students would improve. The predicted improvement was remarkably confirmed. However, the test was a deliberate fake; the students had been selected at random.

[**] A galaxy of authors have described the devastating effect schools can have, using impressionistic observation, first-hand teaching experience, and objective research data. See for example James Coleman, John Holt, Herbert Kohl, Edgar Friedenberg, Paul Goodman and Jonathan Kozol.

a condition which adversely affects even a relative minority of our vast population can still involve great numbers of people.

Much of the impetus for school decentralization in New York City is a response to this problem. Aroused parent groups recognize that some schools have, for one reason or another, failed their constituency, that parents must have effective and immediate ways to influence the nature of schooling for their children. Ironically, in the nineteenth century when every other licensed teacher was some local politician's niece, we created a professional bureaucracy that would be invulnerable to political nepotism. It has proven impervious as well to nearly every effort to improve it. New York City is now attempting to make this well-guarded bureaucracy responsive to community demands. There are other grounds for decentralization, but this is among the most persuasive.

Because teachers are the key to good schooling, one decentralization issue consists of a demand by parents and community boards that they be granted the right to appoint and dismiss teachers and principals. A survey in 1967 of parents in the predominantly Black Bedford-Stuyvesant area, revealed that there was little desire for parental control of schools, and only a third of the parents advocated parental power to appoint teachers and principals.* But half the parents believed they *should* have something to say about the replacement of *incompetent* teachers. Could it be that they were not concerned primarily with gaining the power to dismiss teachers, but for safeguards against poor teaching? The distinction is important, for the latter can be effectively provided by voluntary enrollment, enabling parents to avoid a harmful school situation without becoming entangled with the issue of parental dismissal of teachers.

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*Center for Urban Education, *Community Attitudes in Bedford-Stuyvesant: An Area Study* (mimeograph, Summer 1967).

CHOICE AND MANAGERIAL POWER

The allowance plan would provide such a safeguard by making the public school subject to choice, and in the process strengthen the hand of good public school principals. Independent school headmasters enjoy the advantage of considerable autonomy, much of it, of course, a direct result of the voluntary nature of their schools. A private school head may listen to parental objections and respond if he judges them to have merit, but he knows that the parent is committed to his school by choice only, not necessity. Confrontations are largely avoided at the outset because parents presumably know and approve the basic features of the school before they choose it. They implicitly delegate their trust and authority to the school when they request admission. This basic difference between a private headmaster and a public principal is well summarized by Irving Kristol in the following observation about New York City's school problems:

> Not all of education in New York City is out of popular favor. The affluent private schools, on the whole, are well regarded by parents, students, and teachers. So are the anything-but-affluent parochial schools, which the majority of Negro parents would be delighted to send their children to, were there room for them. What is it that makes these schools acceptable at the least, desirable at the best?
>
> The answer has nothing to do with these schools being run on principles of local democracy which they are not. It has everything to do with these schools being run on principles of delegated authority. Specifically, the reason these schools 'work' better is that they are governed by headmasters who have considerable managerial power, managerial discretion, managerial immunity to outside pressures (including parental pressures). From what I have seen of public school principals in New York City, they compare favorably enough to private school headmasters. What they lack is any kind of real power to do a good job.*

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* "Decentralization for What?", The Public Interest, Spring 1968, p.22.

Parent-controlled schools are rare in the private sector. They exist where a group of parents with unusually uniform beliefs in educational ends and means have voluntarily agreed to cooperate under the administrative leadership of a man they trust. It is far more difficult for a public school principal to operate a community or parent-controlled school because the enrollment is largely involuntary. Decentralization plans which include parental or community control without voluntary enrollment present the hazard of weakening still further the principal's authority. School decentralization that fails to sustain or strengthen the principal's authority may raise more problems than it solves.

The limitations on the public school principal's power are basically of two kinds. One is the school system administration above him, including teacher and employee unions operating through central offices. This administrative structure need not be affected by voluntary enrollment. A second limitation is the power exercised indirectly by parents and community. Parents quite rightly believe they should have a voice in the education of their own children. This parental claim is even more justified when law requires school attendance and for most parents only one school is available. A principal is placed under considerable constraint in these circumstances to offer an educational diet which is unobjectionable to every parent who must utilize his school. It often results in a bland neutrality best suited to avoid controversy and bore students.

In the face of today's incredible pressures, a principal needs all the administrative power he can muster. Consider the bitter dissatisfaction or near chaos that prevails in a number of ghetto schools. The principal is not only expected to operate his school on a business-as-usual basis, but is also asked to make major reforms in an atmosphere charged with anger, hostility and distrust. Even though emotional reactions may be justified, teachers and students are distracted by the turbulent atmosphere of frequent confrontations. People become defensive, self-justifying, unyielding and sullen. In a school so beleaguered *reform* is all but impossible. Only *revolution* holds much promise when change is demanded under chaotic conditions.

Some contend that recent eruptions in inner city schools are a necessary prelude of better things to come. And as long as students and parents have no alternative they are forced to correct the problem in the local school. If *all* students were compelled to attend public schools, particularly the children of rich and politically powerful parents, the argument goes, the dynamics of reform would operate even more effectively. But as it is, dissatisfaction with a given school is dissipated by parents who have the capability to send their children elsewhere. Otherwise the pressure for reform would find powerful champions until the reaction was sufficient to force the needed reforms.

It is true that with the private schools here to stay, by parental choice and constitutional guarantee, the wealthy continue to enjoy the privilege of avoiding an inferior education while the poor are left behind to cope with bad schools in a climate of mounting frustration. And change may come too late for many a parent's child. Depressed by the snail's pace of reform and their own helplessness, dissatisfied parents may become fatalistic rather than effectively reformist, and in time ignore the problem they seem powerless to correct--an attitude of hopelessness that may infect the child's attitude toward school and the whole process of education.

Under the educational allowances plan, criticism of an ineffective school would be backed implicitly by the right of withdrawal. The school which experiences a substantial decline in enrollment would be obliged to improve or face the prospect of perishing. Instead of controversy, confrontation, or frustration, the spur to reform would be the failure of the school to hold its clientele. And the parent is in a position to exercise an effective, responsible option for the benefit of his child.

Would this result in chaotic shifts of students from school to school? Doubtless, parents would think and talk about choosing other schools, just as college students do. But many factors would operate to make the local public school the overwhelming choice. Not only are most parents satisfied with the public school, they prefer the convenience of the closest school. Problems of distance and transportation would not deter the bitterly discontented from moving, but in most schools they represent a small percentage.

If so many would continue to patronize the local public school, what warrant is there to change the system of school finance? The point is that parents of students who remain would have made a voluntary choice, and they would have a stake in seeing their judgment confirmed. Given this changed attitude the principal would be more likely to receive the support necessary to make his school live up to the confidence of those who choose to remain. And the potential dissidents would be elsewhere.

The principals and teachers of many unsatisfactory schools today do know how to operate better schools but are prevented from doing so by the prevailing malaise. Some critics maintain that poor schools are staffed by incompetent teachers--people who are cruel, insecure, racist, inflexible. There are ample numbers who answer this description, not always for lack of talent and dedication but because of the problems they face. A principal with sufficient administrative power has a better chance to redeem or replace these teachers. Under a system of parental choice the school that is truly beyond reform will die for lack of patronage, rather than having its ineffectiveness masked by a full but captive enrollment.

THE HAZARDS OF CHOICE

Many who are attracted to the idea of choice in schooling may reject it reluctantly because they believe few parents, themselves excepted, are capable of making wise decisions. For all our democratic tenets we have little faith in the judgment of our fellow men even in matters that affect only their own lives and children. This despite the broadest system of schooling ever designed to nurture an educated citizenry capable of making intelligent decisions, not only personal but in public affairs as well.

To what extent are parents capable of making choices regarding the education of their children? If formal schooling is taken as a test, today's parents are better educated than any earlier generation. In 1900 6.4% of the American 17-year old population were high school graduates; while by 1964, 76.3% of the same group were graduates.* Although the capacity of unschooled parents to make wise

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* U.S. Office of Education, Digest of Educational Statistics (Washington: U.S. Government Printing Office, 1967), p. 52.

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decisions was a justified concern a century ago, there is far less ground for doubt in our time. Parents today recognize as never before that effective, relevant education is important for their children. The school dropout's apparent rejection of education does not necessarily mean that he or his parents spurn education as such; he is rejecting a particular school or situation. A different school, voluntarily chosen, may produce a marked change in motivation, as is evident from the experience of the Urban League's Street and Storefront Academies:

> ...school administrators complain that students do not react to traditional curricula. Yet in the street academies, dropouts work diligently at basic and conventional subjects, spurred by special studies which may satisfy their specific interests. Administrators complain that 'disruptive pupils' disturb their classes, while in street academies students who might have been regarded as disruptive submit to, even learn under, greater constraints than exist in any public school. ... Guidance counselors prescribe job training and vocational courses for slow and disruptive students, while the street academies have shown that many of these young people want to go to college and can go to college.*

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* Chris Tree, "Storefront Schools", Urban Review, February 1968, p. 29.

Industry is achieving similar results with voluntary programs of basic schooling in the three R's for employees who seemingly avoided all education, whether in school or out.* Given relevant schooling freely chosen at a time when moti-

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* Rasa Gustaitis, "Private Industry's Factory Classrooms", The Reporter, September 7, 1967, p. 23.

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vation is strong, the dropout's educational aspiration is higher than is commonly supposed. The damaging consequences of dropping school are largely the product of a society which provides but one channel for schooling at an age decreed by legislation. The march relentlessly grinds by the laggard in lock-step. Given a choice people could elect different settings and ages to pursue their schooling, and dropping out would not be so perilous because there would be honorable ways to acquire an education in other times and circumstances. Our present system lacks the variety and inhibits the free volition.

Giving parents or students greater responsibility for educational decision does not imply a diminishing role of counselling by professional educators. Parents will seek the advice of educators to the extent that they respect their judgment and understanding. But the point is, deeper involvement of parents in the decision-making may bring many dividends in the form of more thoughtful concern for the elements of good schooling and where it can be found. As a Black commentator said recently: "Education is too important to leave solely in the hands of professional educators". In the twenty-first century the hazards regarding school choice may consist not in the risk of erroneous decision from parental choice, but rather in the loss to education if we fail to enlist fully the imagination and responsibility of parents and students.

RESPONSE AND RELEVANCE

Margaret Meade predicted that by the year 2000 schools as we know them today will no longer exist. Given the accelerating rate of change it is easy enough to imagine the last third of the twentieth century so radically altering the world that the present form of schooling will be superseded. This assumes, of course, that our schools are responsive to change in the world. How much fundamental change in schooling has there been in the last century? Can we detect today even the bare beginnings of the predicted revolution? There are few signs that it is occurring. We see today, in fact, more signs of atrophy than of revolution.

In the future there will be even more need than exists today to choose between different kinds of schooling, each of which is appropriate for desirable but different goals. The results of educational research are not converging to the point where a particular method or approach or a certain type of school will be proven most effective and sacrosanct. Instead, we are moving in the other direction. Not only will more different methods of education be developed, we will also be increasingly able to analyze their effects on different people into a number of fairly precise outcomes, both desirable and undesirable. In a preliminary sense we see this divergence today between those who seek for their children a solid grounding in the basic disciplines, manipulative competence and accuracy, and a capacity for rigorous, sustained work, in contrast to parents who are willing to sacrifice these ends, worthy as they might be, in order to ensure maximum development of creative imagination, spontaneity, curiosity and enthusiasm. Every school, every teacher has to strike a balance between these objectives. But who is to say which mix or emphasis should be offered to a particular child? It is not that parent and student capacity for wise decision in this regard is somehow blessed with natural wisdom. Rather the harmful effects of assigning this responsibility elsewhere are even greater, especially in a country that esteems the independent individual and is apprehensive about growing conformity and standardization.

It is difficult to make institutions responsive and relevant even under the best of circumstances; difficult for the imagination to break loose to new forms, difficult to overcome inertia to implement new ideas. Schools today are too well protected from competition. As long as parents and students are not stimulated to weigh educational alternatives, and the method of school finance guarantees a block enrollment regardless of the educational effectiveness of a given school, there will be only a limited response and involvement by parents and students. And are they not the *raison d'etre* of schooling in the first place?

How the Public Views Nonpublic Schools

A Study
of the
American
Independent
School

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A STUDY OF THE AMERICAN INDEPENDENT SCHOOL

Foreword

Discussions about the relative merits or demerits of private as compared with public education commonly rest on assumptions regarding public attitudes which have never been carefully surveyed. How much does the public know about private schools? What does it think of them? Answers to these questions have been either purely conjectural or reflections of personal bias. In view of the intense current debate about all kinds and all levels of education it becomes increasingly important to have an accurate assessment of what people the country over do in fact think and believe. To this end Gallup International was commissioned by this Study to conduct a national survey of how the public views nonpublic schools. A summary of the important findings, adapted from the text of the Gallup Report, is presented here.

Fortunately, CFK, Ltd., also engaged Gallup International to conduct "A Survey of the Public's Attitudes Toward the Public Schools." Field work for the public and private school surveys was done at the same time, utilizing the same sample and interviewers. So for the first time valid information is available regarding the public's knowledge and opinions about its schools, public and private.

The Gallup survey reported here was made possible by a grant from the Independence Foundation. The Danforth Foundation provides the major support for A Study of the American Independent School. The Study staff is preparing a book length Report dealing with many aspects of the world of private schools. The Report will be based on a substantial questionnaire survey and extensive school visits covering all types of private, parochial and independent schools.

Otto F. Kraushaar
Director

Cambridge, Massachusetts
July 29, 1969

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HOW THE PUBLIC VIEWS NONPUBLIC SCHOOLS

This survey, undertaken as part of A Study of the American Independent School, has sought to determine, on a nationwide basis, the views of the public regarding nonpublic school education.

In all, 1505 adults were interviewed by 327 members of the nationwide field staff of Gallup International. These interviews were conducted in all areas of the country and in all types of communities selected by random methods. These communities, taken together, represent a microcosm of the nation.

Questions included in the interviewing form were selected after many pre-tests conducted in the interviewing center in Hopewell, New Jersey, and after a pilot study undertaken in 27 areas of the country. The survey represents the joint planning of the staff of A Study of the American Independent School and the staff of Gallup International.

The field work for this survey was conducted during the period of February 4 through February 20, 1969.

In the early testing of the questionnaire form it was discovered that the general public is not familiar with the term "independent", but classifies nonpublic schools as either "private" or "parochial". By "parochial" the public generally means Roman Catholic schools only, using "private" when referring to schools operated by other religious groups. This terminology prevails, although some non-Catholic denominations, the Lutherans for example, also refer to their schools as "parochial", and the Roman Catholics themselves distinguish between three types of Catholic schools: diocesan schools, parochial schools and private academies.

It was thought best to overlook these differences in terminology and attempt to assess public opinion on "private" and "parochial" schools.

Although parochial schools are present in 70 per cent of American communities, the fact that private schools are to be found in only a third of the communities in the United States posed a major problem. Obviously it is difficult for citizens to make meaningful comparisons between private, parochial and public schools except in communities where all three types are present. Fortunately, most of the areas with private schools also have parochial schools. In these areas respondents were in a position to make more meaningful comparisons between the three types of schools.

For many questions, therefore, responses from areas where private and parochial schools exist are reported separately along with the national results. The sample base for these responses is reduced to 435 which means that results must make added allowance for sampling error.

One other important point needs to be kept in mind in interpreting results, the factor of loyalty. Individuals who have attended any one of the three kinds of schools, or who have children or grandchildren now attending them, tend to be loyal to that type of school.

Government figures for 1965-66 indicate that about 6.3 million, or 13 per cent, of all students enrolled in elementary and secondary schools in the United States attend nonpublic schools. The church-related schools account for the great majority of these students, while a little more than five per cent of them attend non-church private schools. To supplement the very small number of respondents who have children attending these schools, the sample was augmented by 88 interviews with parents who now have children in nonpublic schools. These are useful in the case of some questions, but the very small sample base should be kept in mind in drawing conclusions.

HOW WELL INFORMED IS THE AMERICAN PUBLIC ABOUT NONPUBLIC EDUCATION?

The American public is poorly informed about nonpublic schools. This, perhaps, is to be expected since only one person in three lives in a community where private schools are to be found, and only one student in every eight throughout the nation attends a nonpublic school.

By almost every test, the public reveals little knowledge about nonpublic schools, especially about private non-church schools. On the other hand, the public is also not well informed about the public schools--even those in their own communities. In a companion survey dealing with the public schools, this finding was reported:

> "Most of the information that the public possesses about the public schools concerns the happenings, the news, reported in the newspapers or through other media. Knowledge about education itself is very limited, at least the kind of knowledge that has to do with the curriculum and goals of modern education." [1]

In this same survey dealing with the public schools, it was found that four in ten of those interviewed (41%) said they knew "very little" about the public schools in their own community. On the other hand, nearly two-thirds say they would like to know more about their schools. Mostly they want the kind of information that is seldom reported--the nature of the courses taught, innovations being tried, changing college admittance requirements, the meaning of test scores, changes in the curriculum and the reasons for the changes.

The same situation is found to an even greater degree regarding the nonpublic schools, since less is reported about them in the news media. For example, when those who live in communities with private schools were asked if they happened to know how these schools are supported, slightly more than half ventured a guess. When they were asked about the tuition charged, only 27 per cent made a guess. And only 11 per cent said that they thought loans and scholarships were available.

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1. CFK Ltd., A Survey of the Public's Attitudes Toward The Public Schools 1969 - by Gallup International, Spring 1969.

WHAT DOES THE PUBLIC THINK ABOUT THE QUALITY OF NONPUBLIC EDUCATION?

To provide an index for assessing public opinion about the quality of nonpublic schools, respondents were asked to compare them with public schools. The following question was asked:

> "If you were to rate the quality of education received by children in your community, which one would you say is best--private, parochial, or public school?"

For the national sample the results were:

PRIVATE SCHOOL	14%
PAROCHIAL SCHOOL	15%
PUBLIC SCHOOL	43%
ALL EQUAL	20%
NO OPINION	8%

Obviously, since the question calls for a comparison it is relatively meaningless in communities where private and parochial schools do not exist. By comparing the national response to that from communities where all three types of schools are present--about one-third of the nation--it can be seen that nonpublic schools are regarded much more favorably where they are known. For these communities the answers are as follows:

PRIVATE SCHOOL	24%
PAROCHIAL SCHOOL	21%
PUBLIC SCHOOL	32%
ALL EQUAL	20%
NO OPINION	3%

If the choice of private school (24%) is combined with the choice of parochial school (21%), then the vote for the nonpublic school is substantially larger than that given the public school (32%).

The size of the private school vote is noteworthy. If one takes account of the loyalty factor discussed earlier and bears in mind that only 2 per cent to 3 per cent of the students in these communities, on the average, attend private schools, the endorsement of the latter is all the more striking.

Each person was asked to give the reasons for his choice. The reason cited most often by those who believe the quality of education is best in the private school is that the student receives more personal attention. In the case of parochial schools, the reason cited most often is discipline. Those who believe the public schools are best most often give as their reason the association students have with all segments of society.

Surprisingly, rather few choices are based upon the educational program, or the quality of education per se. In fact, there is a strong tendency to judge quality by the way students are dealt with as individuals.

IS THE PRIVATE SCHOOL UNDEMOCRATIC?

Relatively few persons interviewed in this study believe that private schools are essentially undemocratic. Rather, private schools are regarded as a natural concommitant of a pluralistic society.

Although many believe that one of the virtues of the public schools is that they "bring all classes of people together" and that they provide a "more true-to-life environment" in which to teach young people, yet those who hold this view would not insist that all children be required to attend public schools.

To probe views on this aspect of education, the following question was put to all persons reached by the survey:

> "As you know, there is talk about taking open land and building new cities in this country. New cities, of course, would include people of all religions and races. If such communities are built, should there be parochial and private schools in addition to public schools?"

This question offers those who believe strongly that the three-school system is divisive and that all children should be enrolled in one kind of school an opportunity to register this opinion.

That the great majority of citizens accept the present three-school system is indicated by the response to the above question. Whether they now live in communities with or without private schools, most citizens register a substantial vote in favor of the three-school system.

For the nation as a whole, the vote is:

Yes, there should be parochial and private schools	72%
No, there should not be parochial and private schools	23%
No opinion or No answer	5%

The vote for nonpublic schools is even higher in those areas where such schools are to be found, as the following figures show. In the three-school area:

Yes, there should be parochial and private schools	84%
No, there should not be parochial and private schools	12%
No opinion or No answer	4%

In each interview, the respondent was asked to tell why he gave the answer he did. Analysis of reasons for voting "No" show that most of those in this group cite reasons that have little or nothing to do with the undemocratic nature of nonpublic schools.

Many, for example, say that the public schools are good and there is no need, therefore, for private or parochial schools. A few voice opposition because they assume that the nonpublic schools would be supported by tax money. Opposition on the grounds that such schools are undemocratic--that all should be equal in education--is limited to about 2 per cent of the nation.

The overwhelming majority of those who favor the three-school system say, "There should be a right to choose."

TO WHAT EXTENT WOULD PARENTS CHOOSE PRIVATE EDUCATION IF IT WERE MADE POSSIBLE FINANCIALLY

Whether a family sends its children to a public or to a private school involves a whole cluster of factors, not the least of which is money. But to weight this factor with great accuracy is far beyond the scope of this study.

At the same time, it was thought useful to try to gain some insight into the importance of money in the decision about the schools by asking this question:

> "If you had the money, or if your children could get free tuition, would you send them to a private school, to a church-related school (parochial), or to a public school?"

Nationally, the responses were as follows:

Would send children to private school	18%
Would send children to parochial school	22%
Would send children to public school	57%
No opinion	3%

The responses of those who live in areas where private and parochial schools exist are, of course, the most meaningful. In the private and parochial school areas these results were obtained:

Would send children to private school	30%
Would send children to parochial school	29%
Would send children to public school	41%

When the figures for private and parochial schools are combined, the total exceeds that for the public schools, but it is interesting to note the balance of enrollment that would result in the three sectors according to this response. Americans seem to place a high value on the availability of alternatives.

SHOULD PARENTS OF NONPUBLIC SCHOOL STUDENTS BE HELPED BY PUBLIC FINANCING?

The issue of the public financing of nonpublic education is highly complex. In every state where legislation has been proposed, it takes a different form.

To obtain some insight into the way the public would view a radically different approach to the public financing of all schools, the question, stated below, was asked of the entire national sample:

> "In some nations, the government allots a certain amount of money for each child for his education. The parents can then send the child to any public, parochial, or private school they choose. Would you like to see such an idea adopted in this country?"

It should be pointed out that there are many ways of giving financial aid to nonpublic schools, some of which are now in effect. The merit of the question stated above is that it puts the whole issue in a new context, although it has the drawback of posing an unfamiliar plan for financing all types of schooling.

Responses to the above question, which were identical for both the entire national sample and the three-school areas, showed the following division of opinion:

Those in favor of this policy	37%
Those who oppose	59%
No opinion or No answer	4%

The chief objection to this idea is that it might give the government too much control over "what to do and where to go" (20%). The next most frequent criticism is that parents should pay for any schooling that is not public schooling (10%), and that it would raise taxes (6%).

About half who favor the plan give as their reason that parents should have a choice of different types of schools for their children, and about half favor it because they think the plan would help needy children and promote equal educational opportunity. The lower income groups support this proposal to a much greater extent than do the highest income groups.

DO OPINIONS ABOUT NONPUBLIC SCHOOLS DIFFER BY SOCIO-ECONOMIC GROUPS? RELIGION? RACE?

Examination of the findings on key questions dealing with private education fails to show very great differences by socio-economic groups. For example, on the question of having the three-school system in new cities, all the major groups voted in favor--and by substantial margins.

Younger persons are slightly more in favor of the three-school system than older persons (81% aged 21 to 29, 73% aged 30 to 49, 67% over 50). Those who live in the largest cities favor the idea to a greater extent than do those who live in the smaller cities. Roman Catholics, understandably, favor the idea more than Protestants. Actually, no important segment of society voted against the idea.

On another key question, government financial support of nonpublic schools by means of allotments to parents, those most in favor are Roman Catholics. Young adults are almost evenly divided, as are persons living in the largest cities and those in the lowest income categories. But with the exception of Roman Catholics and non-whites, all groups cast more votes against than for this form of financial support of nonpublic schools.

When responses to other questions asked in this survey are examined, opposition to nonpublic schools is not found in any large group in the population. One reason, perhaps, is that each respondent perceives some type of private or parochial school that is available to the religious or socio-economic group he represents.

Analysis of all responses according to age reveals consistently that the younger the age group, the more favorable the view of nonpublic schools.

The number of Negro adults in the general population is approximately 10 per cent. The number reached in a survey of the general population is consequently too limited to enable definite conclusions to be reached. In the present survey, the views of black parents in general differ little from those of the entire sample.

Firm supporters of the position that all students should be enrolled in public schools are to be found, but they are few in number and the arguments they usually advance have not made much impact on the general public.

DIVERSITY, COMPETITION AND NEW EDUCATIONAL IDEAS IN SCHOOLS

The relative advantage or disadvantage of diversity in educational institutions can be examined in two ways: diversity for the sake of offering different learning environments, and diversity for the sake of competition to raise standards.

The turmoil that has engulfed some public schools is not prevalent in the private and the parochial schools. Many observers believe this is the result of the voluntary enrollment and control of student admissions enjoyed by nonpublic schools. Nevertheless, because they have been largely free of disorders, nonpublic schools are cited by the public as examples of the kind of discipline that should be maintained in all schools.

The parochial schools especially are praised for the discipline they maintain. Among other things, private schools are thought to regulate the dress and deportment of their students to a far greater extent than do the public schools. Since "lack of discipline" is currently the greatest criticism of the public schools,[2] the nonpublic schools profit greatly by the comparison.

The public tends to agree with the view often put forth by educators that competition between diverse school systems increases the quality of education. To shed light on this point, the following question was asked:

> "Some people say that having schools of different kinds in a community is a good thing because the competition increases the quality of education. Do you agree or disagree with this?"

The responses show that for the entire sample 40 per cent agree, 33 per cent disagree, and 27 per cent have no opinion. For the three-school area, the percentage who agree is higher. The figures: 48 per cent agree, 34 per cent disagree, and 18 per cent have no opinion.

The very sizable number without opinions points to a lack of conviction in this issue. Analysis of the reasons given for agreeing or disagreeing reveals that many respondents see no difference in the educational programs of the different types of schools, they are not aware of competition, or of improvements in the quality of education that have resulted from competition. In short, they agree that there is a theoretical advantage, but many have not seen it demonstrated.

Another interesting finding bearing upon the issue of diversity comes to light in two questions put to respondents. The first asked:

> "Which type of school do you think is in a better position to experiment and try new educational ideas--the private schools or the public schools?"

The national sample vote:

The private schools	40%
The public schools	54%
No opinion or No answer	6%

The three-school area voted in nearly reverse fashion:

The private schools	52%
The public schools	43%
No opinion or No answer	5%

The next question asked:

> "Which type of school do you think gives more emphasis at this time to new educational ideas--the private schools or the public schools?"

On this question the national sample voted:

The private schools	32%
The public schools	56%
No opinion or No answer	12%

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[2] CFK, Ltd., op. cit.

In the three-school area, the vote was as follows:

The private schools	43%
The public schools	47%
No opinion or No answer	10%

Thus, although the private school is seen to be in a favorable position to experiment and to try new educational ideas, most citizens believe the public school is more receptive to new educational ideas.

WHY DO PARENTS SEND THEIR CHILDREN TO PRIVATE SCHOOLS?

When citizens residing in the three-school areas were asked:

> "What are the chief reasons why parents send their children to private schools?"

the reason most often cited has to do with better education. The 64 per cent who give this reason state their views in various ways:

> "Private schools give children more individual attention."
> "Students get a better preparation for college."
> "Private schools can get better teachers."
> "The public schools are bad scholastically."

The second largest category has to do with social prestige. The 32 per cent in this group make these typical statements:

> "Going to a private school is a status symbol."
> "They want to keep their children in their own class."
> "To get them away from students who fight all the time."
> "Because they don't want their children associating with lower class children."

The next highest category (12%) is discipline. These are typical comments recorded:

> "Private schools supervise their students better."
> "They don't have to stand for nonsense the way the public schools do."
> "Children have to behave."

The next category, into which 10 per cent of the comments were placed, concerns segregation. Typical responses are:

> "To avoid integration."
> "There are no race problems in private schools."

WHY DO PARENTS SEND THEIR CHILDREN TO PAROCHIAL SCHOOLS?

When citizens residing in the three-school areas were asked:

> "What are the chief reasons why parents send their children to parochial schools?"

the reason most often cited has to do with religion. The 78 per cent who give this reason state their views in various ways:

> "Because they were raised as Catholics to believe that the only schools to send their children to are parochial schools."

> "No person is completely educated without exposure to all sciences. You can't teach Biology without Theology."

> "Because they want them to believe in God and grow up to be nice citizens."

The second largest category has to do with better education. The 13 per cent in this group make these typical statements.

> "Better quality of education and religious education."
> "Hope of specialized education."
> "Teachers take more time with the children."

The last category, into which 8 per cent of the comments were placed, concerns discipline. Typical responses are:

> "Because the nuns are strict and help parents raise good kids, makes it easier on us."
> "Better maintenance of discipline and authority."
> "Better supervision, better moral standards--teamwork in whatever he does."

WHY DO PARENTS SEND THEIR CHILDREN TO PUBLIC SCHOOLS?

When citizens residing in the three-school area were asked:

> "What are the chief reasons why parents send their children to public schools?"

the reason most often cited has to do with finances. The 52 per cent who give this reason state their views in various ways:

> "They are paying taxes and they do not want to pay twice, which they would be doing."
> "Way of educating them most practical."
> "It's the best available for the average family."

The second largest category has to do with availability and convenience. The 36 per cent in this group make these typical statements:

> "Public schools are everywhere for children to attend."
> "Because public school is what we have."
> "It's the most available and convenient."

The next category, into which 12 per cent of the comments were placed, concerns better education. Typical responses are:

> "Better qualified teachers, more up-to-date in courses."
> "Better education with advance teachings."
> "Because of smaller classroom size."

The next category mentioned was broader experience with different kind of people (12%). These are typical comments recorded:

> "Heterogeneous group racially and religiously. There's value in exposure to wide variety of ethnic groups."
> "Kids would come in contact with a wider range of students, rich and poor alike."
> "It's good for a child to grow up with all kinds of people and not live in a narrow world."

The last category, into which 8 per cent of the comments were placed, concerns requirement by law. Typical responses were:

> "Because education is compulsory."
> "Children must attend school until they become of age."
> "Everyone has to go to school, and it's there for them to use."

DO PRIVATE SCHOOLS GIVE STUDENTS A BETTER SENSE OF VALUES?

Private schools often maintain that they can do a better job of building a sense of values than do the public schools. To discover whether the public agrees with this view, the following question was asked:

> "Suppose a child could attend either a private school or a public school. Which do you think would do a better job in building character and a sense of values--The private school or the public school?"

When responses to this question in the three-school areas are tabulated, they show this division:

The private school	49%
The public school	39%
No opinion or No answer	12%

While the public casts its lot with the private schools on this point, it should be pointed out that this advantage is seldom mentioned when the merits of private schools as opposed to public schools are listed by respondents in replying to these questions:

> "If you had the money, or if your children could get free tuition, would you send them to a private school, to a church-related (parochial) school, or to a public school?"
>
> "If you were to rate the quality of education received by children in your community, which one would you say is best--private, parochial, or public school?"
>
> "What are the chief reasons why parents send their children to private schools?"

WHAT KIND OF STUDENTS SHOULD PRIVATE SCHOOLS ACCEPT?

The public would like to have the private and parochial schools take students of all kinds and from all levels of society rather than concentrating on students who are academically gifted or who have special learning problems. Apparently, most parents would like to think that their own children might attend or that they, themselves, could have attended a private school when they were of school age.

The following question was asked of the national sample:

> "In your opinion, what kind of students should a private school accept? Should it exist primarily for the academically gifted, for the weaker students who need more personal attention, or for all students?"

For the national sample the responses reveal this division of opinion:

The academically gifted	7%
The weaker students	22%
All students	66%
No opinion or No answer	5%

In the three-school areas, the results show:

The academically gifted	8%
The weaker students	16%
All students	73%
No opinion or No answer	3%

It is interesting to observe that while many private schools state their purpose to be the provision of rigorous schooling for selected students who will be future leaders, the public endorses a broader mission embracing all families and students.

When the persons who comprise the national sample were asked if acceptance should be based entirely on test scores and grades, they voted:

For test scores and grades entirely	26%
Against test scores and grades entirely	66%
No opinion or No answer	8%

In the three-school areas, the vote was:

For test scores and grades entirely	24%
Against test scores and grades entirely	72%
No opinion or No answer	4%

Another question asked whether family background should be considered. The national responses show:

For considering family background	21%
Against considering family background	73%
No opinion or No answer	6%

In three-school areas, the vote was:

For considering family background	18%
Against considering family background	78%
No opinion or No answer	4%

When this question was put to the national sample:

> "Should all children from a given family be accepted, even though some are good students, others not so good?"

the national and three-school area responses were nearly identical:

Yes	58%
No	35%
No opinion or No answer	7%

WHAT KIND OF PRIVATE SCHOOLS DOES THE PUBLIC PREFER ?

All persons included in the survey were asked to give their views about the kind of private schools they would prefer: a boarding school or a day school, a single sex school or a coeducational school.

The first question asked:

> "If you were to send your child (children) to a private school, would you prefer a boarding school or a day school?"

The vote of the national sample:

Boarding school	11%
Day School	63%
No opinion or No answer	26%

The vote of persons living in three-school areas:

Boarding school	11%
Day school	71%
No opinion or No answer	18%

The vote of parents with children now enrolled in private schools:

Boarding school	11%
Day school	76%
No opinion or No answer	13%

The question of the single sex as opposed to the coeducational private school produced these results.

The vote of the national sample:

Single sex	12%
Coeducational	72%
No opinion or No answer	16%

The vote of persons living in three-school areas:

Single sex	12%
Coeducational	74%
No opinion or No answer	14%

The vote of parents with children now enrolled in private schools:

Single sex	14%
Coeducational	69%
No opinion or No answer	17%

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Senator PELL. Thank you. Are there any other statements?

Mr. POTTER. We do have one other topic that we would like to present, Mr. Chairman. It has to do with one or two points that have already been made, having to do with the subject of the nonpublic school and race and the urban question.

I have already suggested that one of the problems which the private school faces is the charge made by some that their existence, let alone growth, will lead to greater segregation and poorer education for minorities. I think there are two misconceptions behind this line of thinking.

One misconception is to consider the experience in some Southern areas, with flight from public to private schools—in a number of cases private schools created for the express or implied purpose of avoiding integration—as not only a standard practice for the South, but a standard practice everywhere.

And the other misconception, in the light of concentration of minority populations in urban areas, with whites moving to the suburbs for a variety of reasons, including education, is to consider that the private school by nature, whether within or without the city, is somehow largely responsible for that flight with the resultant deterioration of urban life.

There is no question that there have been some schools started to avoid integration and that whites have left the cities, some of them to seek suburban public as well as private schools, but what needs to be stated and emphasized is that what I would call the legitimate private school sector is as concerned with these problems as anyone else, is on record in support of integration, and has been taking a variety of steps to do its share to implement what is clearly the national policy. This side of the story has largely been missing from the discussion of the private school and race and urban questions, and I would like to touch on it briefly here.

Private schools in large numbers are working hard to bring a real degree of integration to their schools, and they have had to do this without the pressure of law or without the help of public funds especially devoted to the purpose. They have had to depend almost entirely upon voluntary initiative and private funding.

There is ample evidence of both progress in integration and the degree of financial effort being expended on it. I think no one would claim that the job has been done as fast or as well as it should have been, but there is significant movement, significant progress.

The legitimate private school will in no way support the segregationist private schools, and a wide array of private school associations across the country, in the South and elsewhere, despite their voluntary nature and their lack of authority over individual schools, have publicly and officially ruled out of membership eligibility schools set up for segregationist purposes. They would support their exclusion from public aid.

My point is that the Government should be aware of this situation, of the efforts and the progress that are being made, and should have as much concern for the encouragement of the positive effort as it does for the discouragement of the negative, an equally legitimate objective.

To bring this topic down to more specific terms, I would like, speaking now for the National Association of Independent Schools, to give an indication of what this association is trying to do in this area, and then call on Dr. Senske of the Lutheran Schools, and Father Bredeweg from the NCEA, to speak further on these questions.

What we have done in the National Association of Independent Schools is to establish a clear-cut policy of the association with regard to open admission and to admit to membership only schools that themselves subscribe to such a policy, and to ask affiliated state associations to do the same thing.

Through the period of the 1960's, this stand has been reiterated with increasing emphasis and is now adopted and enforced across the country.

We have also made periodic surveys of the enrollment of American minority students, and made these public and available to the schools as efforts to encourage the growth of minority enrollment. We have likewise encouraged and supported widespread efforts by individual schools and groups of schools to undertake special projects involving minority groups in their own communities and nationally. Some schools and some groups of schools have been able to do, and have done, more than others, but there is no doubt at all what the policy is.

As an indication of progress, let me cite some statistics collected over the last 6 years. In the first survey made by the National Association of Independent Schools in 1966–67, the number of black students enrolled in the member schools was 3,720, or a percentage of about one and a half. Three years later, the figure was 7,600, a percentage of about 3.2. This year the figure is approximately 9,600, or a percentage of about 4.1. With the figure for total minority enrollment about 5.5 percent. In the last two years, when total enrollment in our schools has held just about even, the black enrollment has increased about 26 percent and in the past 6 years 158 percent.

The direction of this trend is certainly clear. It should be pointed out that those figures are composite ones for a wide variety of schools many of which because of location are not readily accessible to minority populations. It should also be pointed out that this record compares very favorably with the record of institutions of higher education, to which are available many Federal and State programs providing special financial aid for the express purpose of supporting programs for recruitment and financial aid for minority students.

In this connection, the statistics for financial aid in the schools of the National Association of Independent Schools are significant. Of the total financial aid expended by the schools for 1968–69, about $21.5 million, $7.1 million, or about a third, was going to minority students. Put another way, about a third of the financial aid budget, entirely private funds, was being focused on about 3 percent of the students.

As I have already indicated, my purpose in presenting these facts is not to say that enough has been done, or that it has all been done as fully or as well as it should have been. Rather my purpose is to point out that these private schools are clearly making a major effort in the direction of representative minority enrollment, that this effort is achieving results, and is deserving of the same sort of support and encouragement from Government as are similar efforts in the public and higher education sectors.

Before calling on others, I would like to point out that an additional statement on this subject will be submitted for the record subsequently by the Right Reverend John Walker, suffragan bishop of the Episcopal diocese of Washington, who is a member of the board of directors of the National Association of Independent Schools.

And now for further testimony, I would like to call on Dr. Al Senske representing the Board of Parish Education of the Lutheran Church-Missouri Synod.

STATEMENT OF DR. AL H. SENSKE, ED. D., SECRETARY OF ELEMENTARY AND SECONDARY SCHOOLS, BOARD OF PARISH EDUCATION, THE LUTHERAN CHURCH-MISSOURI SYNOD, ST. LOUIS, MO.

Dr. SENSKE. Senator Pell, I represent the largest Protestant school system in America; we have schools around the globe. In our country, we are represented in rural, central city, and suburban areas.

Even though we have experienced a decline in enrollment since 1965—this has amounted to 9 percent—we have increased the enrollment of minority groups during that same period from 3.7 percent to 7.8 percent. The percentage of non-Lutherans enrolled in our schools has gradually increased, and the highest percentage of non-Lutheran enrollments are reported by schools with black populations in some of the large cities. The percentage of non-Lutherans in some of our black schools is as high as 90 percent, so these schools are making some very sincere attempts to serve the communities in which they are located.

The quality of education, we think, is good. One bit of evidence of this, for example, is one of our schools in Detroit. In this all black school one-third of the enrollment is made up of children of public school teachers.

Our enrollment would be dropping even more than it is if it were not for the inner-city schools. Here is where we are experiencing some of our biggest increases today. The reason these schools can continue to exist and grow is because, No. 1, many of the teachers in these schools are willing to put up with some very low salaries and secondly, many white church members, who live in suburbs and rural areas are willing to support these inner-city programs. These schools do have some subsidy in some cases.

But a large portion of these expenses are being paid by the black and the oriental parents—in some cases Spanish-American parents—who send their children to these schools.

We basically are in the education business. We think that we are very unique at this point because we teach and relate Christianity and the Lutheran religion to the total school educational experience of the child. Service to children is an avenue to the home.

We feel that this is good for people, good for America, good for the world society. With this total program of parish education, of course, we provide many other kinds of services. This is our way of living out the faith in which we believe.

The service of Lutheran schools, especially in the inner-cities, is evidence that helps explode the myth, that is prevalent in some areas, that church schools are really made up of a group of integrated self-serving people who are running their private country club schools. This certainly is not the case with the addition of more and more nonchurch members into these schools, and the fact that we are not able to enroll nearly all of the pupils who apply. Another proof the costs that people are willing to support even though they are serving other children in other kinds of localities.

The total cost for our elementary-secondary educational system operated by us for 1 year is approximately $68 million.

Thank you.

(Information subsequently supplied for the record follows:)

Lutheran Elementary and Secondary Schools
of
The Lutheran Church—Missouri Synod

The oldest Lutheran school of this church body dates its year of beginning as 1752 (St. Matthews, New York City). North American Lutheran elementary schools reached their peak enrollment in 1965: no. of pupils - 161,357; no. of schools - 1,374. Since 1965 these schools have experienced a steady decline to the present statistics: no. of pupils - 146,528; no. of schools - 1,185.

The number of Lutheran schools has declined due to the closing of some small rural schools and inner city schools. Also, a number of schools that consisted of only kindergarten programs and the consolidation of existing schools accounted for a high percentage of the total decline.

Enrollment declines have totaled nearly 5% over the past two years (2% - 1970, 2.9% - 1971), and 9% since 1965. However, the percentage of children from minority groups has increased from 3.7% in 1965 to 7.8% (11,500) in 1971. The percentage of non-Lutherans enrolled has also gradually increased. The highest percentage of non-Lutheran enrollments are reported by schools with Black populations, reaching in a number of instances 85 - 90% non-Lutherans. These schools are making sincere attempts to serve the community.

Innercity Lutheran schools are able to continue to exist and to grow because of low teachers salaries, and the willingness of church members not living within the innercity to contribute toward their support. Most of these schools receive a subsidy from their church district (usually including an entire state). Parents of children in innercity schools also pay for a portion of the school expenses either through tuition and textbook fees, or church contributions.

All Lutheran school officials located in the larger cities indicate they must turn down many applications. School costs have prohibited them from expanding so they may adequately serve more pupils.

Average daily attendance costs per pupil per year have risen from $249 in 1965 to $379 in 1971, a 52% increase.

There is much evidence that the supporters of Lutheran elementary schools are determined to continue to provide Christian education in as strong and extensive a program as possible. Renewed efforts are being expanded in the cities where there is much evidence that these schools are making positive contributions to the local communities. The Lutheran Church-Missouri Synod in several synodical conventions officially called upon Lutheran educators to become increasingly available for community service, to cooperate with and aid in the support of the entire American educational system, and to concern themselves with the needs of all schools, public and nonpublic, particularly the educationally deprived children.

Lutheran educators have been involved in activities concerning the development of legislation for state and federal aid for it is felt that aid offered to all children attending public, private, and parochial schools undergirds for parents the free exercise of religion and makes possible parental choice in the education of their children. The Synod has officially indicated that federal aid for children attending nonpublic schools, as authorized by the Congress and defined by the courts, be deemed acceptable so long as it does not interfere with the distinctive purposes for which such schools are maintained.

Lutheran schools are unique in their purpose in that they teach and apply Christianity and the Lutheran religion to the total school educational experience of the child. Service to children is also an avenue to serve their parents. Thus the school becomes one part of a total program of parish education supported by autonomous Lutheran congregations for their membership and for the residents of the communities in which these congregations are located.

Current Lutheran Secondary School statistics are the following: 27 schools, 12,900 students. These figures represent a continuing increase in number of schools and total enrollment. The enrollment total represents a 17% increase since 1964. The estimated average daily attendance cost per child per year for 1970 was $700, a 53% increase over the past seven years.

Approximately one-half of the high school educational expenses are raised through tuitions. The remainder from subsidy provided by those Lutheran congregations which have agreed to support their local Lutheran high school.

Lutheran schools and their leaders have been challenged to spend their energies by carrying out four Actions. These Actions are vital if Lutheran schools are to grow and continue to serve a unique purpose in the church's mission and to the nation:

1) Implement plans for strengthening morale in congregation and staff
2) Increase efforts toward quality education
3) Initiate programs that rekindle a commitment to support Christian education
4) Initiate relationships with public and nonpublic education and government.

Al H. Senske, Ed.D.
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Synod
3558 South Jefferson Avenue
St. Louis, Missouri 63118

AHS:flb
12-1-71

Mr. POTTER. Father Bredeweg?

STATEMENT OF REV. FRANK H. BREDEWEG, C.S.B., REPRESENTING THE NATIONAL CATHOLIC EDUCATIONAL ASSOCIATION

Father BREDEWEG. We have, Mr. Chairman, submitted a complete testimony and extensive statistics, so I would just make a few comments that I intend as a general look at Catholic schools in the urban area.

Of the 11,000 Catholic elementary-secondary schools, about 15 percent are located in inner city areas, and about 35 percent are located in the critically changing metropolitan areas between the inner cities and the city limits. The other 52 percent are located in the suburban and rural areas.

However, more than half of the enrollment is contained within the city limits of cities which have more than 50,000 population. Obviously, Catholic schools are very much involved with the educational, social and economic aspects of the large urban areas.

It is sometimes stated that Catholic schools are not contributing sufficiently to the solution of the Nation's low-income and minority groups problems. This would be a grave charge, except that since historically most of the Nation's Catholics have been members of minority groups, and Catholic schools have not differentiated on the basis of income.

Without debating the question, however, the situation can most realistically be understood by recognizing that of today's most commonly discussed minority groups, only the Spanish-speaking people have historically embraced the Catholic religion. Consequently, one would not expect to find many black, oriental or American-Indian people in Catholic schools when these schools must charge tuition to operate.

There are parish contributions; it is however about 12 percent of enrollment in all Catholic school enrollments in 1970–71, which was composed of black surnamed, oriental or American-Indian pupils; black pupils comprised about 5 percent and Spanish-surnamed about 6 percent.

The parish contributions constitute the primary source of funds for most Catholic schools, and it is natural that areas with few Catholics cannot support a school. In spite of this, however, Catholic inner-city schools have not closed at a faster rate than urban public or rural schools. In fact, many dioceses have been subsidizing inner-city schools to the extent that they can no longer afford, and among inner-city schools most often discussed, those urban schools from there to the outer city limits are often just as important.

We have heard again and again from the municipal authority that Catholic schools are a great source of social and economic stability. In short, it is tragic that our schools must close in these urban areas. Although the black and Spanish-speaking people constitute only about 11 percent of this enrollment nationally, these students constituted 40 percent of the enrollment in our inner-city schools.

Furthermore, 35 percent of the black students in these inner-city schools were non-Catholic. It is commonly known among school officials that an increasing number of black and non-Catholic pupils are applying for admittance to Catholic inner-city and urban schools.

When this happens there is obviously a tension between admitting pupils whose parents support the schools and pupils who often are in need of special attention. It is our sincere opinion that pupils are being admitted without discrimination towards race or religion, insofar as compatible with the needs of our Catholic parents who have founded and continue to support the system.

Clearly, some constitutional way must be found to utilize the resources of our schools in the large urban areas. Nothing said here is intended to reflect upon the public schools in any way, unless it is to congratulate them on their efforts in these areas.

Our point is simply that the complexities of the urban situation seem to have placed Catholic schools into a context which they can help improve, but only if given assistance to compensate for their changing situations.

(The prepared statement of Rev. Frank H. Bredeweg, follows:)

Statement of The
NATIONAL CATHOLIC EDUCATIONAL ASSOCIATION

Before The

SENATE SUB-COMMITTEE ON EDUCATION

Of The

SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

Presented By
Rev. Frank H. Bredeweg, C.S.B.

December 2, 1971

Gentlemen:

We sincerely appreciate this opportunity to present the opinion of the National Catholic Educational Association to this Committee. As the professional education association of over 11,000 Catholic schools, we especially feel a responsibility to contribute in any manner possible to the improvement of nonpublic education in this country.

The purpose of this paper will be to describe the situation as we see it and then to outline a few of the principles which we believe should guide potential solutions. We do not profess to have worked out particular solutions and techniques, although we often have specific possibilities in mind and are most willing to cooperate in the production of others. We recognize the need to understand and to balance many educational, religious and social values, all of which warrant the highest respect. The accompanying exhibits are intended to provide a statistical background for statements made, so we will seldom pause to document what is said.

What is a Catholic School

At the outset, a few words are in order regarding the nature and purpose of Catholic elementary and secondary schools. On one hand, any attempt to justify Catholic schools is strange, since they belong to an educational tradition of long standing not only in the U.S. but in Europe and the entire Western World. Over 1,300 parochial schools were in operation by 1870, a century ago. In 1965, about 5 1/2 million pupils were attending over 13,000 schools. Nevertheless, the tensions of the time sometimes produce a public picture which differs from the picture a church-related nonpublic school has of itself. It might therefore be helpful to present a working description of Catholic schools today, as we see them, especially in view of the recent U.S. Supreme Court decisions regarding public support and excessive church-state entanglement.

On the elementary and secondary level, a Catholic school is both a distinct educational institution and a particular religious apostolate. When the U.S. Supreme Court stated in June of this year that the parochial school system was "an integral part of the religious mission of the Catholic Church," it referred to a truth dependent upon one's understanding of "integral." The religious mission existed long before formal Catholic educational institutions were founded, and will persist should this be the era marking the end of such institutions. However, it is certainly true that Catholics, as well as people of many other religious beliefs, have concluded that religious knowledge is integral to the genuine education of any mind, and can be of special value in guiding the young. Generally speaking, in addition to the normal educational responsibilities required by the state, a Catholic school would insist upon an academic context which includes instruction regarding Catholic religious doctrine, an atmosphere in which the outward liturgical expression of these beliefs is both welcome and convenient, and the right to operate its school-life in accordance with the moral and disciplinary directives consistent with these beliefs. We recognize that what we see as formation and guidance, others may see as an undue influence for the sake of proselytism. For the moment, let it suffice to say that the children in our secondary schools today are no more likely to accept everything told them than the children in public schools, and that even elementary school children are in frequent contact with other attitudes.

One point is worthy of note. Depending upon one's own image of the traditional Catholic school, these essentials may seem plain and lacking in many of the devotional particulars which are usually depicted and often present. However, as Catholic schools evaluate themselves today, basic objectives are being derived and alternatives are being weighed. For example, ecumenical schools have satisfied the needs of various religious sects in some localities. The day may come when the public sector must thoroughly reconsider the ways in which religion can be associated with public schools.

Secular knowledge suffers in no way from this religious dimension. It would not be difficult to document the academic quality of Catholic schools. Often the same textbooks and standarized tests are used. Test results, collegiate success and commercial performance over the past two decades indicate that the products of Catholic schools are well educated. Catholic schools should be accepted in the field of education as institutions fulfilling the same educational mission performed by public schools. To create artificial separations would be detrimental to all of society in the long run. The 4 1/2 million Catholic school pupils are an integral part of over 50 million elementary and secondary school-age children in the country, and the estimated 45 million Catholics are an integral part of the nation's 200 million population.

Because of this religious dimension, however, prudential judgements are necessary when particular circumstances are confronted. Some entanglement is unavoidable. Harmful and excessive entanglement would be unconstitutional. The Supreme Court recognized the role of circumstance and judgement when it stated:

> "Our prior holdings do not call for total separation between church and state; total separation is not possible in an absolute sense. Some relationship between government and religious organizations is inevitable...Judicial caveats against entanglement must recognize that the line of separation, far from being a "wall," is a blurred, indistinct and variable barrier depending on all the circumstances of a particular relationship." (Lemon v. Kurtzman, Opinion of the Court)

Consequently, we believe that public/nonpublic relationships in the field of education today must be guided by a wisdom and a spirit not heretofore called upon. We are confident that the challenge will be met.

The Need For Diversity

So much has been said about the value of diversity in the pluralistic American society that it seems necessary only to repeat that an alternative educational system does offer many advantages. The parents of over 10% of the nation's children can exercise their option. Academic innovation and advancement produced in nonpublic schools are part of the entire development in education. Society is healthier because of the contribution of those who prefer a distinctive schooling. On the practical side, a significant share of the annual cost of education need not be covered by public funds. These and innumerable other advantages accrue to the nation which preserves its freedom and diversity in the face of increasing complexity and interdependence.

The Situation Today

During the three years from the fall of 1967 until the fall of 1970, the number of Catholic elementary and secondary schools decreased about 10% and the enrollment decreased about 16%. The number of full-time religious teachers decreased about 14%, while the number of lay teachers increased about 34%. During these years, more teachers were employed for fewer students, at much higher costs. Estimated per-pupil income increased about 65% on the elementary level and about 37% on the secondary level over these three years.

In general, the declines have been steady and indicate no panic, despite the fact that Catholic schools feel the effect of many forces in today's world. Perhaps this is the appropriate place to stress that Catholic schools are not the "monolithic" Catholic Church, which is not monolithic. Catholic schools are influenced, and sometimes determined, by at least the following groups of people: bishops, pastors, members of religious communities, local and diocesan boards of education, diocesan and state school offices, the parents of children attending Catholic schools, the Catholic parents of children not attending Catholic schools, school principals and administrators, staff lay teachers, and others. No particular order should be overemphasized in regard to these groups of people. The bishops and hierarchy still exert the predominant influence for change, but most school matters are now open to any or all of these influences and the impact upon a decision varies with each particular locality.

It is important to note that declines have been gradual, despite the rapidly changing times. Over 11,000 schools and almost 4 1/2 million students remain. We believe that this fact is both a testimony to the worth of Catholic schools and an urgent request that assistance be rendered soon if those remaining are to endure. In our opinion, most Catholic sources of influence are awaiting the final word as to whether public authorities intend to assist nonpublic schools in any substantial way. Thus far, the attitudes of particular states have been mixed, some states immediately recognizing that aid to nonpublic schools is of mutual benefit, while other states retain less favorable constitutions and attitudes. Certainly the June U.S. Supreme Court decisions offered no encouragement to nonpublic schools, unless it was to clarify avenues which should not be pursued.

If we understand today's financial situation correctly, the majority of Catholic schools no longer have any liquid assets, face a moderate deficit during 1971-72, and are evaluating a more complex situation for 1972-73. While we cannot document this statement, it is common opinion among our officials and is consistent with data we do have. The diocese is generally in the same condition, primarily because of the school deficits in recent years. In general, Catholic parents are being asked to decide soon about continuing their schools, and without knowing whether or not their contribution to public financial resources will be used to alleviate their problem in any way.

Government Aid To Nonpublic Schools

In regard to aid from public sources, it should be stressed that Catholic schools are not asking state and federal governments to assume the parents' role. Parents are seeking partial but significant support so that they can manage the major responsibility which is theirs on a continuing and secure basis. As with most community efforts today, a viable financial formula must be envisioned and constructed. The Catholic school situation is ideally suited for this type of shared-funding, since our schools have been operating in this manner for many years by combining tuition, a subsidy from the parish, and the contributed services of religious communities.

Today, however, a new balance must be achieved in view of changing circumstances. The elements are similar, i.e. parents whose children attend Catholic schools (tuition); the other members of the parish who share in the total educational mission but have no children in attendance (part of the parish subsidy); religious communities (contributed services); and the role of local, state and national public communities (government aid). If Catholic schools are to continue to operate in significant numbers, a viable financial balance must be packaged from among these major components. The composite effect of aid from public sources must necessarily be a major component, since the total school income from tuition and parish subsidy have increased about 30% since 1967 only to find that they can no longer carry the entire financial burden.

Local, state and national assistance to nonpublic schools is certainly not new. Exhibit C gives some indication of current public/nonpublic involvement in regard to various forms of providing materials and rendering services. While these types of assistance are appreciated and welcome, they do not strike at the core of a school's operating expenses and therefore do not substantially affect nonpublic schools. Nor are they at all universal, as the percentages indicate.

Federal Aid

Having finally arrived at the question of Federal aid, we realize that there are many ideological, constitutional and fiscal variables to be considered by Congress in regard to aid to elementary and secondary education, both public and nonpublic. However, having testified that Catholic schools deserve and need federal aid, we would like to comment upon various possibilities and to offer whatever assistance we may be able to give when the proper time comes.

One possibility is that federal programs continue as they are, specifying certain needs and categories of aid to elementary and secondary education. Should this be the case, it is imperative that nonpublic schools receive equal eligibility and treatment. Although federal legislation has always legally been extended to both public and nonpublic schools, programs have been structured for public schools to such an extent that nonpublic schools sometimes do not effectively participate.

In regard to possible general aid to elementary and secondary education, which would apparently provide federal per pupil amounts to both public and nonpublic school pupils, such aid could be significant to Catholic schools. Judgement must be reserved because these programs also are understandably designed for the public sector. We recognize that the federal government must constitutionally hesitate to place funds directly into the hands of nonpublic school officials. Nevertheless, a method must be found to distribute equal benefits and services to nonpublic schools and in such a manner as to directly relieve the current operating budget to the same extent realized by the public sector. Otherwise, nonpublic schools might have additional problems.

Another possibility is that nonpublic schools, having distinct situations, should have distinct solutions. Perhaps federal assistance to nonpublic schools should be conceived as a separate part of a total public/nonpublic legislative effort. For example, Federal income tax relief for tuition and fees would clearly benefit nonpublic schools more than public schools but would be an effective part of a larger view. This type of aid also has built-in "matching" incentives, in that only a percentage of the total is recovered.

Central City, Low-Income Families, and Minority Groups

Another potential public/nonpublic involvement which must be discussed concerns the problems of the central city and the education of children from low-income families and minority groups. Of the 11,000 Catholic elementary and secondary schools, about 13% are located in inner city areas and about 35% are located in the critically changing metropolitan area between the inner city and the city limits. About 52% of Catholic school enrollment is contained within the city limits of cities with more than a 50,000 population. Obviously, Catholic schools are very much involved with the educational, social and economic aspects of large urban areas.

It is sometimes stated that Catholic schools are not contributing sufficiently to the solution of the nation's low-income and minority group problems. This would be a grave charge, since historically most Catholics have been members of minority groups and Catholic schools have not differentiated on the basis of income. Without debating the question, the situation can most realistically be understood by recognizing that, of today's most commonly discussed minority groups, only the Spanish-speaking people have historically embraced the Catholic religion. Consequently, one would not expect to find many black, Oriental, or American Indian pupils in Catholic schools, especially when these schools must charge tuition to operate. Since parish contributions constitute the primary source of funds for most Catholic schools, it is natural that areas with few Catholics cannot support a school. In spite of this, however, Catholic inner city schools have not closed at a faster rate than Catholic urban, suburban or rural schools. In fact, many dioceses have been subsidizing inner city schools to an extent which they can no longer afford. And, although inner city schools are most often discussed, the urban schools from there to the outer city limits are often just as important. We have heard again and again from municipal authorities that Catholic schools are a great source of social and economic stability.

In short, it is tragic that Catholic schools must close in these urban areas. Although the black and Spanish-speaking people constitute only about 11% of Catholic school enrollments nationally, these students constituted 40% of the enrollment in Catholic inner city schools in 1970-71. Furthermore, 35% of the black students in Catholic inner city schools were non-Catholic. It is commonly known among Catholic school officials that an increasing number of black, non-Catholic pupils are applying for admittance to Catholic inner city and urban schools. When this happens, there is obviously a tension between admitting pupils whose parents support the school and pupils who often are in need of special attention.

Clearly, some constitutional way must be found to utilize the resources of Catholic schools in the large urban areas. Nothing said here is intended to reflect upon public schools in any way, unless it is to congratulate them for their efforts in the urban areas. Our point is simply that the complexities of the urban situation seem to have placed Catholic schools into a context which they can help improve, but only if given assistance to compensate for their changing situation.

Conclusion

It is probably best to conclude now and to expand or continue at another time. We sincerely appreciate the opportunity to make this presentation and hope that some mechanism can be set in motion in regard to future communication and exchange.

The final note must be one of urgency. Considering all factors as they currently are, Catholic schools will continue to decrease, and probably at an accelerated pace.

EXHIBIT A

INFORMATION REGARDING
CATHOLIC ELEMENTARY AND SECONDARY SCHOOLS
IN THE UNITED STATES

Elementary and Secondary:	1967-68	1968-69	1969-70	1970-71
Schools	12,627	12,305	11,772	11,352
Pupils	5,199,000	4,941,000	4,658,000	4,367,000
Teachers: Total	172,800	177,500	184,800	188,200
Full-Time Religious	95,200	91,000	86,200	81,900
Full-Time Lay	63,300	69,400	76,900	84,600
Part-Time Religious	5,900	7,000	8,300	8,300
Part-Time Lay	8,400	10,100	13,400	13,400
Estimated Total Operating Income	$ 1,009 M	$ 1,166 M	$ 1,029 M	$ 1,344 M
Estimated Contributed Services	$ 424 M	$ 434 M	$ 429 M	$ 413 M
Per Pupil Income	$ 194	$ 236	$ 260	$ 308
Per Pupil Contributed Services	$ 82	$ 88	$ 92	$ 95
Per Pupil Input	$ 276	$ 324	$ 352	$ 403

Elementary Only:	1967-68	1968-69	1969-70	1970-71
Schools	10,350	10,113	9,695	9,366
Pupils	4,106,000	3,860,000	3,607,000	3,359,000
Teachers: Total	119,600	121,900	125,600	126,200
Full-Time Religious	65,500	62,000	57,500	53,500
Full-Time Lay	45,400	49,100	53,800	58,400
Part-Time Religious	2,900	3,700	4,600	4,600
Part-Time Lay	5,800	7,100	9,700	9,700
Pupil/Teacher Ratio	33:1	31:1	29:1	28:1
Estimated Total Operating Income	$ 595 M	$ 687 M	$ 721 M	$ 806 M
Estimated Contributed Services	$ 240 M	$ 240 M	$ 225 M	$ 228 M
Per Pupil Income	$ 145	$ 178	$ 200	$ 240
Per Pupil Contributed Services	$ 58	$ 62	$ 62	$ 68
Per Pupil Input	$ 203	$ 240	$ 262	$ 308

Secondary Only:	1967-68	1968-69	1969-70	1970-71
Schools	2,277	2,192	2,077	1,986
Pupils	1,093,000	1,081,000	1,051,000	1,008,000
Teachers: Total	53,200	55,600	59,200	62,000
Full-Time Religious	29,700	29,000	28,700	28,400
Full-Time Lay	17,900	20,300	23,100	26,200
Part-Time Religious	3,000	3,300	3,700	3,700
Part-Time Lay	2,600	3,000	3,700	3,700
Pupil/Teacher Ratio	20:1	19:1	18:1	19:1
Estimated Total Operating Income	$ 414 M	$ 479 M	$ 488 M	$ 538 M
Estimated Contributed Services	$ 184 M	$ 194 M	$ 204 M	$ 185 M
Per Pupil Income	$ 379	$ 443	$ 464	$ 519
Per Pupil Contributed Services	$ 168	$ 179	$ 194	$ 183
Total Per Pupil	$ 547	$ 622	$ 658	$ 702

M = millions of dollars

EXHIBIT B

ADDITIONAL INFORMATION BY LOCATION OF SCHOOL

Location of Schools	1967-68		1968-69		1969-70	
	No.	%	No.	%	No.	%
Elementary:						
Urban	3,126	30.2	3,085	30.5	2,996	30.9
Inner City	1,490	14.4	1,456	14.4	1,415	14.6
Suburban	2,598	25.1	2,589	25.6	2,550	26.3
Rural	3,136	30.3	2,983	29.5	2,734	28.2
	10,350	100.0	10,113	100.0	9,695	100.0
Secondary:						
Urban	870	38.2	855	39.0	814	39.2
Inner City	294	12.9	278	12.7	258	12.4
Suburban	596	26.2	588	26.8	575	27.7
Rural	517	22.7	471	21.5	430	20.7
	2,277	100.0	2,192	100.0	2,077	100.0

1970-71 Enrollment & Minorities	Urban	Inner City	Suburban	Rural	Total
Schools	3,768	1,368	2,683	3,082	10,901
Elem. & Sec. Pupils:	1,719,200	469,700	1,264,500	754,200	4,207,600
Spanish Surnamed	105,000	83,800	38,000	24,400	251,200
American Negro	65,500	102,800	19,700	15,500	203,500
Oriental American	9,400	5,300	3,500	2,900	21,100
American Indian	2,600	1,500	5,100	7,500	16,700

1970-71 Income and Contributed Services	Urban	Inner City	Suburban	Rural
Budgeted Income (per pupil):				
Elementary	$ 232	$ 226	$ 244	$ 224
Secondary - Parochial	$ 467	$ 425	$ 503	$ 445
Secondary - Private	$ 569	$ 585	$ 643	$ 762
Budgeted Contributed Services (per pupil):				
Elementary	$ 64	$ 77	$ 64	$ 74
Secondary - Parochial	$ 164	$ 177	$ 150	$ 195
Secondary - Private	$ 201	$ 164	$ 200	$ 328

EXHIBIT B-1

ANALYSIS OF 1970-71 ENROLLMENT
BY RELIGIOUS, ETHNIC AND LOCATIONAL ASPECTS

	Elementary			Secondary		
URBAN:	Cath	Non-Cath	Total	Cath	Non-Cath	Total
Spanish Surnamed	78,800	600	79,400	25,400	200	25,600
American Negro	35,100	13,400	48,500	13,400	3,600	17,000
Oriental American	5,800	1,200	7,000	1,800	600	2,400
American Indian	2,000	100	2,100	400	100	500
All Others	1,104,600	16,100	1,120,700	406,200	9,800	416,000
Total	1,226,300	31,400	1,257,700	447,200	14,300	461,500
INNER CITY:						
Spanish Surnamed	74,000	500	74,500	9,200	100	9,300
American Negro	56,900	33,400	90,300	9,700	2,800	12,500
Oriental American	3,000	1,400	4,400	700	200	900
American Indian	1,200	100	1,300	200	-	200
All Others	198,400	5,100	203,500	71,600	1,200	72,800
Total	333,500	40,500	374,000	91,400	4,300	95,700
SUBURBAN:						
Spanish Surnamed	30,600	100	30,700	7,200	100	7,300
American Negro	7,400	7,800	15,200	3,300	1,200	4,500
Oriental American	2,800	300	3,100	300	100	400
American Indian	4,900	-	4,900	200	-	200
All Others	905,500	16,200	921,700	269,700	6,800	276,500
Total	951,200	24,400	975,600	280,700	8,200	288,900
RURAL:						
Spanish Surnamed	21,900	200	22,100	2,300	-	2,300
American Negro	7,800	5,800	13,600	1,200	700	1,900
Oriental American	2,300	200	2,500	300	100	400
American Indian	6,100	300	6,400	1,000	100	1,100
All Others	588,900	10,600	599,500	101,600	2,800	104,400
Total	627,000	17,100	644,100	106,400	3,700	110,100

EXHIBIT C

ASSISTANCE TO CATHOLIC SCHOOLS FROM LOCAL, STATE AND FEDERAL PUBLIC SOURCES

The following figures reflect the number of Catholic schools receiving assistance of one kind or another, in the form of materials provided and services rendered.

ELEMENTARY SCHOOLS:	Urban	Inner City	Suburban	Rural	Total	Per Cent Participating
Transportation	955	292	1,129	1,752	4,128	45.7 %
Instructional Staff	556	523	529	841	2,449	27.1
Textbooks	661	331	462	475	1,929	21.3
Other Instructional Materials	1,870	845	1,298	1,641	5,654	62.6
School Lunch Programs	963	478	558	1,256	3,255	36.0
Health Staff	1,853	785	1,474	1,748	5,860	65.0
Use of Facilities	297	131	304	479	1,211	13.4
Other Assistance	728	300	634	621	2,283	25.3
No Assistance Received	114	30	88	71	303	3.4
Total Schools Reflected	2,964	1,180	2,204	2,689	9,037	100.0 %
SECONDARY SCHOOLS:						
Transportation	276	53	228	203	760	40.8 %
Instructional Staff	101	26	76	91	294	15.8
Textbooks	185	50	116	87	438	23.5
Other Instructional Materials	456	111	243	209	1,019	54.7
School Lunch Programs	246	51	133	225	655	35.1
Health Staff	387	98	211	199	895	48.0
Use of Facilities	96	31	69	85	281	15.1
Other Assistance	129	38	80	73	320	17.2
No Assistance Received	83	12	53	23	171	9.2
Total Schools Reflected	804	188	479	393	1,864	100.0 %

No dollar evaluations are available. The schools shown here may reflect relatively substantial assistance or aid which is operationally insignificant.

Senator PELL. Thank you very much.

Mr. POTTER. Mr. Chairman, we have an additional witness on this subject, Father Patrick Farrell, who is an associate superintendent of schools of the archdiocese of Chicago. He will continue the topic.

STATEMENT OF FATHER PATRICK FARRELL, ASSOCIATE SUPERINTENDENT OF SCHOOLS OF THE ARCHDIOCESE OF CHICAGO

Father FARRELL. Mr. Chairman, in talking about large private school systems, the archdiocese of Chicago has often been spoken of as the largest private school system in the country, with almost 500 schools in the northeastern section of Illinois, in two counties, Cook and Lake Counties.

Of those schools, 264 of them are in the city of Chicago, and we consider 107 of them as being part of the core city.

At the elementary level we have 43,000 students and at the secondary level 15,000 students who are either Spanish-surnamed or black.

These schools are not closing. I think Chicago perhaps, in many ways, is unique in that the archdiocese has supported those schools very heavily.

We are concerned with the idea of choices in education. We want to offer choices especially for the poor. We have just finished a study in which we have analyzed the future of our schools over the next 10 years and beyond that into the next decade, and we have decided to make choices in education for the poor a priority in our concerns.

Our schools, because they are locally controlled, have a special kind of freedom from bureaucracy and a kind of creativity that we do not see in any other way in any other place.

Some of the advantages that our schools have rest on certain historical patterns; Catholic schools traditionally have been staffed by religious groups. They also have drawn the staff from the community for these schools. We think this is an important factor with regard to the accountability of a school to the community, that the staff is very local, that it is part of the community that it serves, that it is known by the people that it serves, that is controlled and accountable to the community.

We have been building into our schools a variety of types of accountability to these communities. We want these schools to become centers where parents have a right to make very important decisions about the education of their children. At the present time we have over 350 local school boards with many thousands of parents in policymaking positions related to these schools. We want this responsibility to increase and to become even greater.

In order to look at these schools, indeed at all the schools of our diocese, it is important to know that we are in the midst of a 3-year plan for excellence. Our financial problem, as we see it, is related to the whole idea of excellence in education. If our schools are good, we believe people will support them. Because of the freedom that we have and the local control of our schools we feel we have some opportunities to create the kind of excellence that the community can see as extremely valuable and worthy of their support.

We have developed many innovative schools. On the near North Side of the city of Chicago, in an area called Cabrini Green—known across the country for crime rate difficulties—one of our schools has become one of the most innovative in the whole city. It has a very special relationship with the community. This school looks at children in creative ways. It uses as resources the difference in children. Children are diagnostically tested and placed in an environment that will help them grow—not turn them off. In all the 107 core city schools children are achieving two grade levels above their public school counterparts in every subject area.

Our hope is that over the next 3 years we will be changing all of our schools from the old lock-step graded system to a much more flexible type of approach to education. Our schools have provided many opportunities that have not been present in our sister systems—the public schools.

We find that use of multiple resources is a very important way of identifying the excellence of schools. Often I find that schools identify their excellence in terms of input of money expended per child.

In our case we feel that resources, when they are multiple and when they are very diverse, tell us a great deal more about what schools are doing to bring about excellence in local communities. Under resources we include creative use of facilities, use of community people as volunteer para-professionals on staff, as well as alliances with local businesses. Within the next year and a half we hope to have alliances with all the universities and colleges in Chicago to involve their students from freshman year in the innovative programs of our schools.

We expect in many other ways to increase our own resources, both people resources and other types of community resources—local talent from local trades—people with special kinds of skill development that could be used in the schools. If we have freedom to act quickly—and we know we do, and we are—if we have the creativity in our staff to do this, to give this kind of gift, then perhaps we give a gift to the larger community, to all of education.

The best evidence I have of private education's special gift to education in general is that in one of our projects—the project we call IGE (individually guided education) which at present involves 30 of our schools—we have shared our experience with the Chicago Public School system and they will begin the same system in January. It was only through our introduction of the system that they became familiar with IGE and through our dialog with them we were able to give them what we had learned through our own practice.

We have many alliances with the 110 public school districts that service the same geographic area as our system. They are good and we want them to grow, because we don't feel that our schools should deal with their own clientele exclusively, with our own people in isolation, but that we have a gift to give to the larger ideals of all of education.

It has been the history of education, as it has been said here many times this morning, that we have had pluralistic educational systems. The leadership has come both from the public school side and also from private and parochial education. We learn from each other. Catholic education has learned many things from the experience that has taken place in public education. We find also in our own situation that public education is learning some very important things as we develop our programs.

People who work in our schools know that their gift must go beyond their own walls, beyond the families that are part of these schools, and it is our hope that in our own design we can build schools that are not just simulations of the past, but simulations of the future, that we can give through our freedom and creativity a gift to all of education in the country.

Thank you very much.

Senator PELL. Thank you very much.

Mr. POTTER. Senator, in my opening statement I said we had three areas that we wanted to discuss. One was this philosophic question, one was the question of race and the urban areas, and finally to discuss possible avenues of Federal action.

We have been doing an awful lot of talking here; you may wish to raise questions about what has been said already.

Senator PELL. I would rather you would finish your talking first and then I will ask questions.

Mr. POTTER. Then I think we will go on to discuss or explore possible avenues of Federal action which might be taken to strengthen the contribution of the private sector, and Edward R. D'Alessio, director, Division of Elementary and Secondary Education, U.S. Catholic Conference, will speak to that point, initially.

STATEMENT OF DR. EDWARD R. D'ALESSIO, DIRECTOR, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION, U.S. CATHOLIC CONFERENCE; ACCOMPANIED BY REV. PATRICK J. FARRELL, ASSOCIATE SUPERINTENDENT, ARCHDIOCESE OF CHICAGO, ILL.

Dr. D'ALESSIO. Thank you, Cary.

I just have a relatively short outline of possible avenues that should be explored, might be explored, or could be explored in the area of Federal assistance to students and parents of students attending nonpublic schools.

However, as I indicated in the division's written testimony, which has been submitted for the record, the U.S. Supreme Court decision in *Lemon* and *D'Censo* did not spell the end of Catholic schools nor did it close all channels of public assistance to nonpublic school students.

Among constitutional experts, among which I am not one, it is generally agreed that the Court has left open several broad areas of public assistance for students and parents of students attending nonpublic schools.

What the Court did was to rule that the Pennsylvania and Rhode Island statutes, which purchased services from nonpublic schools in Pennsylvania, and supplemented the salaries of nonpublic school teachers in Rhode Island, were unconstitutional. Furthermore, it is no secret, I am sure, that the U.S. Supreme Court's decision came as a severe disappointment both to Catholic educators and parents.

In addition, if I just may reiterate a point made by Mr. Ayrault, the decision failed to give proper recognition to parental rights in education. This particular point was singled out for comment by the Catholic bishops of the United States during their semiannual meeting in Washington last month.

At present, State and/or the Federal Government provide nonpublic school students with auxiliary services, transportation, school food services, health and welfare services, and secular textbooks supplied in common to all students.

We don't have any specific answers as to the broad areas of public support for the assistance alluded to earlier, but I would like to suggest several possible vehicles or areas of approach which may prove to be legitimate vehicles, constitutional vehicles of Federal assistance, to students and/or parents of nonpublic schoolchildren, and as such would merit serious study.

These broad areas, or broad vehicles, include the secular, neutral, or non-ideological services, facilities or materials, language used by Chief Justice Burger in the Pennsylvania and Rhode Island cases. But they also include auxiliary services, parental or educational grants, commonly called vouchers, scholarships, tax credits, and shared services.

And in this regard I think it is significant that last week the Ohio Supreme Court upheld the constitutionality of that State's auxiliary services law, which provides educational materials and services to nonpublic schools. These items include audiovisual aids, testing materials, books, remedial reading and speech teachers, and guidance counselors.

Finally, in any provision of public assistance to education, moreover, children attending nonpublic schools must share, on an equitable basis, while at the same time the integrity of the nonpublic schools must be maintained.

As was pointed out in previous testimony this morning, students and teachers in nonpublic schools are eligible to participate in numerous Federal education programs; the most obvious, of course, has been programs legislated in 1965 in the Elementary and Secondary Education Act of that year.

By means of this legislation, moreover, Congress committed itself and the Nation to the quality education of American children. In addition, children attending nonpublic schools are also eligible to participate in other Federal programs, such as school lunch, breakfast, special milk, Neighborhood Youth Corps, Headstart, and Follow Through.

In general, and this is my final point, national data concerning nonpublic school participation in these programs has been tardy and generally inadequate. Thus, generalizations are difficult. We hope that the appointment of a consultant for nonpublic educational services at the U.S. Office of Education will help alleviate this situation.

However, it is safe to say that participation of Catholic school students in particular and nonpublic students in general is spotty at best, and I am sure before the testimony is completed this morning, other members of CAPE will want to testify or at least indicate their degree of satisfaction or dissatisfaction with their participation in the various Federal education programs.

(The prepared statement of Edward R. D'Alessio, Ph. D., follows:)

Statement of

Edward R. D'Alessio, Ph.D.
Director
Division of Elementary and Secondary Education
United States Catholic Conference

Before the

Subcommittee on Education
of the
Committee on Labor and Public Welfare
United States Senate

Thursday, December 2, 1971

10:00 A.M.

Accompanied by:

Rev. Patrick J. Farrell, Associate Superintendent
Archdiocese of Chicago, Illinois

Mr. Chairman and Members of the Committee:

I want first to express my gratitude and that of my colleague, Father Patrick J. Farrell, Associate Superintendent, Archdiocese of Chicago, for the opportunity to speak with you today about the current situation of nonpublic education and, in particular, of Catholic schools in the United States. I do not want to speak to you, however, as a special pleader for Catholic schools. Rather, I wish to speak to you as a spokesman for Catholic schools who is anxious that public policy, including the policy of the Federal government, reflect a broad, integrated vision of the total reality of American education -- both what it is and, hopefully, what it can and will be. This is the concern of the United States Catholic Conference.

My basic thesis is a simple one. Catholic and other nonpublic schools do not exist in isolation from the rest of American education. Nonpublic education is an integral part of the total American educational enterprise. Although different in significant ways from public education, the "ripple effect phenomenon" in American education is obvious. What happens to nonpublic education has implications for American education generally; what happens to education generally is of urgent concern to the nonpublic schools.

It is a commonplace to say that the Catholic schools in this country are facing a crisis. If my thesis is correct, this crisis cannot be a matter of indifference to any American concerned with the welfare of the total American educational effort. At the same time, it is essential that the nature of this "crisis" be clearly understood. It is a highly complex phenomenon which cannot be reduced to one simple factor. Furthermore, the crisis not withstanding, Catholic schools today are in many important respects stronger than they have ever before been in history.

I would like to lay some emphasis on this fact, because the positive side of the Catholic school story is sometimes ignored these days. I hope you will bear with me while I list some of these positive considerations.

Changes in Catholic schools over the last decade have laid permanently to rest one of the old stereotypes about them: the complaint that their classrooms were habitually overcrowded, that the pupil-teacher ratio was excessively high, and that thus the quality of education suffered. The number of teachers has risen steadily in recent years (despite the drop-off in religious teachers) and in 1970-71 stood at 111,908 on the elementary level and 54,580 on the secondary level. At the same time the number of students has dropped -- partly, at least, because of school and diocesan policies designed to reduce class size. Thus in the past school year the ratio of staff to students in Catholic elementary schools was one to twenty eight, while at the secondary level, it was one to nineteen.

Today's Catholic school teachers are also better qualified than their predecessors of past years. In 1970-71, 63.5% of the elementary school religious teachers and 52.2% of the lay teachers were certified, and another 23.8% were certifiable. At the secondary level, 65.4% of the religious teachers and 62.1% of the lay teachers were certified, and another 26% certifiable.

As the National Catholic Educational Association, which compiled these statistics, remarked:

> "In the matter of the professionalization of Catholic school teachers, these figures have reflected the current pattern in Catholic schools which can be described as constant progress toward improved quality, at least in reference to those measures which the educationists have traditionally cited as the marks of a 'quality school.'"

The same NCEA statistics give some interesting insights into the way Catholic schools -- like their public counterparts -- are responding to the educational needs of minority group and disadvantaged pupils (the two terms are of course not necessarily symononous, but do often overlap in fact). While enrollment of students of non-Caucasian ethnic background in Catholic elementary and secondary schools is not particularly high, neither is it as low as has sometimes been asserted; and it is also significant that the percentage of black students in Catholic schools is far higher than the percentage of blacks in the total Catholic population.

In the 1969-70 school year, black students made up 5.1% of the total enrollment in Catholic elementary schools, Spanish students 5.7%, and Indian .3% (a cumulative total of 11.1%). On the secondary level, the figures were: black, 3.7%, Spanish, 3.8% and Indian, .3% (cumulatively, 7.8%). Furthermore, 38% of the black students in Catholic schools are non-Catholics. And, without meaning to enter into public-nonpublic comparisons (since, in this area, all American educators admittedly have much unfinished business to do), it is at least worth bearing in mind, that, while public schools have 44.6% of their minority group students in predominantly minority group schools, the Catholic schools have 40%.

Moving beyond the tale told by statistics, it is apparent that Catholic schools are making progress in other ways, too. Catholic educators have, for example, become increasingly aware of the value of research as a source of data for improving their performance. Since 1967 alone, 57 diocesan studies of Catholic education have been carried out (and a number of religious orders have also conducted studies of their educational efforts). The impact of this research is being felt in better organization, better planning and better education.

The policy-making structure of Catholic education has also been radically revised in recent years. Once the exclusive preserve of the clergy and religious, educational policy has now become a responsibility -- and a right -- of the entire community as a result of a fast-growing movement to develop parish and diocesan boards of education, responsible for setting policy for schools and other educational programs.

Catholic schools have never been noted for a propensity to rush into educational innovations (or educational fads, for that matter). But more and more Catholic educators are taking advantage of their relative freedom to explore new approaches to teaching. Approximately twenty dioceses presently have extensive instructional television programs; nine of these have their own low cost television channels. The archdiocese of Chicago has a new plan for "individually Guided Education" which will get underway in 1972 and is developing a program for "Education by Appointment" to be launched later in the 70's. Other school systems and individual schools are experimenting with novel approaches to individualized and value-oriented teaching.

At the same time, it is obvious that Catholic schools today face many grave problems. Paramount among these is a financial crisis of major proportions.

The reasons for the crisis are many. The costs of American education generally have leaped in recent years, due to inflation, parental demand for quality education, increased teacher salaries, and other factors. All of these influences have been at work in the Catholic schools.

But Catholic schools also face special problems. Chief among these is the fact that the proportion of religious teachers has fallen off in recent years, while the proportion of relatively high-salaried lay teachers has risen steeply. In 1958 there were 112,201 religious teachers in Catholic elementary and secondary schools and 35,129 lay teachers. In 1970 there were 101,467 religious teachers and 98,001 lay teachers. Thus between 1958 and 1970, the number of lay teachers almost tripled while the number of religious teachers actually declined by 11,000. It should be noted, too, that salaries of both lay and religious teachers in Catholic schools have risen dramatically in recent years.

Almost all of the cost of operating the Catholic school system in the United States is borne by Catholics themselves. Some limited funds do reach Catholic education under various federal and state programs; but without dismissing the significance of this aid, one must conclude that it represents only a minimal contribution toward lightening the burden borne by the Catholic public and fostering quality in church-sponsored schools. And of course, while supporting their own increasingly expensive school system, Catholics as citizens also pay their fair share to support the also increasingly expensive public school system.

The tensions in this situation are obvious. Their most dramatic expression is the drop-off in Catholic school enrollment that has occurred since the peak years of the mid-1960's, together with an accompanying decline in the number of schools.

In the school year 1967-68 there were 12,814 Catholic elementary and secondary schools in the United States; in 1970-71 there were 11,351. In 1967-68 there were 5,215,598 students enrolled in Catholic elementary and secondary schools; in 1970-71 there were 4,367,323. Thus from 1967-68 to 1970-71 the number of schools declined by 1,463 and the number of students by 848,275.

Some people argue that the 4,367,000 students enrolled in Catholic schools in 1970-71 could, if the crunch came, be accommodated without too much strain in the public schools. This might be true if the Catholic school population were spread evenly across the country. As a matter of fact, however, Catholic school renrollment is heavily concentrated in large urban areas, and extensive Catholic school closings would have a major impact on public schools in these places. In Philadelphia, for example, 34% of the total school population is in Catholic schools; in Chicago-Gary, 32%; in Pittsburgh, 29%; in St. Louis, 29%; in New York-Newark-Jersey City, 28%.

Many public school officials have recognized the implications of these facts for their school systems and, as a result, supported public aid for nonpublic schools. In a brief filed with the U.S. Supreme Court defending Pennsylvania's purchase-of-services program of assistance to nonpublic education, the Philadelphia public school district said it "does not have unused excess capacity with which to absorb these potential transferees" from the church-sponsored schools. It added that the legislation in question was "preserving definite educational advantages for all Philadelphia school children and preventing catastrophe for all by promoting excellence in secular education in the private and parochial schools."

It is no secret, I am sure, that the United States Supreme Court's decision last June in the Lemon and Dicenso cases came as a severe disappointment both to Catholic educators and parents. The court's decision does not spell the end of Catholic schools, nor does it close all channels of public assistance to nonpublic school students. It does, however, represent a step backward in a number of respects.

For one thing, the decision fails to give proper recognition to parental rights in education. This point was singled out for comment by the Catholic Bishops of the United States during their semi-annual meeting here in Washington last month. In a statement entitled "Parental Rights and the Free Exercise of Religion," they said in part:

> "The fundamental right of parents to educate their children in nonpublic schools is guaranteed by our Constitution and was recognized a half century ago in the Pierce case, wherein the Supreme Court said: 'The child is not the mere creature of the state.' But today the highest court of the land -- dealing with a case intimately related to parents -- makes no explicit mention of that right. Instead, by its decision this well recognized right could become an illusion if it results in a state educational monopoly in which parental rights -- if acknowledged at all -- will be enjoyed only by the wealthy, by those who can bear both the burden of school taxes and of the separate added cost of nonpublic schooling."

Beyond this, the Supreme Court's decision represents a step away from realizing the vision of a diverse but integrated American educational effort. Implicitly, at least, it sets nonpublic schooling apart, and treats nonpublic schools and their students as something less than full partners in American education.

I submit that American education today is a diverse whole, an integrated entity and this can only become more apparent as time goes by. In the past there may have been some justification for thinking of American education in terms of isolated, relatively unrelated segments. But this is no longer true today.

My reasons for saying this were outlined, clearly and realistically, in President Nixon's Educational Reform Message to Congress of March 3, 1970. As the President put it in that message:

> "The nonpublic elementary and secondary schools in the United States have long been an integral part of the nation's educational establishment -- supplementing in an important way the main task of our public school system. The nonpublic schools provide a diversity which our educational system would otherwise lack. They also give a spur of competition to the public schools through which educational innovations come, both systems benefit, and progress results.
>
> "Should any single school system -- public or private -- ever acquire a complete monopoly over the education of our children, the absence of competition would neither be good for that school system nor good for the country. The nonpublic schools also give parents the opportunity to send their children to a school of their own choice, and of their own religious denomination. They offer a wide range of possibilities for education experimentation and special opportunities for minorities, especially Spanish-speaking Americans and black Americans.

> "Up to now, we have failed to consider the consequences of declining enrollments in private elementary and secondary schools, most of them church supported, which educate 11% of all pupils ..... In the past two years, close to a thousand nonpublic elementary and secondary schools closed and most of their displaced students enrolled in local public schools.
>
> "If most or all private schools were to close or turn public the added burden on public funds by the end of the 1970's would exceed $4 billion per year in operations, with an estimated $5 billion more needed for facilities."

The time has come when the Federal government must take a more comprehensive view of American education than it has done to date. Many factors impel the Federal government in this direction. The needs of a complex technological society, such as America has become in the twentieth century, make it imperative that the government take an active interest in assuring the quality of education received by all its citizens. The nation can ill afford to have any of its citizens poorly educated today. The legitimate complaints of the poor and disadvantaged reinforce this point. The educational needs and rights of particular groups in our society have been too long neglected. Nor are such considerations solely a matter of local, state and regional concern. The extreme geographical mobility of modern-day Americans makes it apparent that what happens, educationally speaking, in one section of the county is very much the concern of other sections of the country. The individual who has received an inadequate education in one state is very likely today to spend his adult life living and working in another state -- so that the results of educational neglect are felt directly far beyond the place in which it actually occurred.

At the same time, Americans do not desire a monolithic, federally controlled school system dictating all aspects of American education. Such a concept is alien to the national tradition and would be unwise in view of the diversity and complexity of our society. The Federal government's role should be conceived instead as that of an "enabler" of excellence in all sectors of American education. In this approach, government would fulfill its responsibility not by seeking to dictate and enforce a pattern of conformity applicable to all American schools but rather by making available to all schools which meet reasonable criteria of academic aspiration, non-discrimination, etc., the necessary supplemental resources and support required for them to provide quality education to their students.

The objective, moreover, should be to cherish diversities within an integrated society. This is not to suggest that our society or our educational system either is or will become totally homogeneous, undifferentiated -- and somewhat bland and colorless -- mass. Differences of life-style, of vision, of commitment do and should exist. There are and will remain many different ways of being a citizen of this nation.

American education should reflect and accommodate these different ways, provided they are not inimical to society's fundamental purposes. And as America becomes less compartmentalized, more integrated racially, of course, but in other ways as well, American education also must reflect this fact. American Catholic educators intend to bear this in mind as they define their role in the future of American education.

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These remarks have particular pertinence to the current situation of nonpublic schools in the United States. Although they are an integral part of the total American educational effort, this point has often been obscured by "separationist" rhetoric and has not always been adequately reflected in designing and implementing programs of public assistance to education. Children in these schools are as fully American as children in any other schools -- yet for a great part of the century-and-a-half in which Catholic schools, for example, have existed, their pupils have largely been treated as second-class citizens so far as distribution of public funds for education is concerned. Beyond the inherent inequity of this situation, the acute financial pressure now being experienced by these schools throughout the country makes it imperative that appropriate remedies be sought from the public sector. This is not simply a matter of redressing an injustice against a too-long-neglected segment of American education. Rather, it is a course of action dictated by considerations of sound public policy and the general good of American education and American society.

Mr. POTTER. Mr. Chairman, may I ask Rabbi Goldenberg to speak to this point?

STATEMENT OF RABBI BERNARD GOLDENBERG, REPRESENTING TORAH UMESORAH, THE NATIONAL SOCIETY FOR HEBREW DAY SCHOOLS

Rabbi GOLDENBERG. Mr. Chairman, my name is Rabbi Bernard Goldenberg; I represent Torah Umesorah, the National Society for Hebrew Day Schools.

The first Hebrew day school was organized around the Colonial period; our own agency, which is the representative agency for Hebrew day school education in America was founded in 1944.

Currently we have nearly 400 Hebrew day schools, of which 230 are elementary and 329 are secondary schools; they are located in 32 States, they have a student enrollment of about 80,000 pupils.

Our system of education has the objective of providing intensive instruction in both the area of general education and Jewish religious education. We attempt to do both on highly exacting levels. Essentially, our program is committed to the building of a lifestyle or a symbiosis between the values of Judaism and the best of American culture.

I think we ought to bear in mind that while all of our Hebrew day schools are united in basic principle, the best way of looking at the Hebrew day school is that it may be properly classified as a private school. They are autonomous; they are individualistic, and they are maintained financially by payment of prescribed tuition fees by the parents and by voluntary contributions made by individuals and groups.

Forty percent of our budget is covered by tuition which, in rates, ranges from about $250 to about $600 per year. But—and it is a very important but—in the larger metropolitan areas where the majority of our schools are located, a large percentage of our parents are of very limited economic means, which makes them dependent on tuition grants if they are to enroll their children in our schools.

Since our parents consider both religious instruction and the finest possible program of secular education as equally valuable for the children, the economically underprivileged among them are faced with an agonizing choice, and are either failing to provide religious education of their choice for their children or are placed in desparate straits when they seek to send their children to our schools.

And of course, the standards of these schools are jeopardized by our inability to meet the constantly rising budgetary requirements imposed by the needs of our times.

Let me try to get out from under the waves and give you a picture of exactly what is actually happening. In New York City there are about 180 Jewish day schools; 120 of these 180 schools are located in poverty areas; 50 percent of all Jewish children in New York City attend Hebrew day schools, most of them in poverty areas.

Now, the Hebrew day school, the educational component of our community, is a pivot of our community. If this goes, the community goes. If parents in low-income areas—the working class, the lower class, the lower middle class, poor areas—if the parents are unable to maintain their educational institutions in these disadvantaged areas, then those communities are shot, because the educational institution is the pivot of our community. This means a flight from the city; years of investment of blood, guts, and tears will go out in a moment of an agonizing decision.

So, once again we shall have relocation of an ethnic component with all its evils, and what was once a colorful neighborhood, a neighborhood plygot with many ethnic strains, will no longer be that way. Why? Because the pivot of that community, the educational unit, could not be maintained.

This is one of the issues of the seventies which this distinguished subcommitee faces. As parents, as Jews, and as educators, we are deeply devoted to education and educational excellence. We feel that right now a rethinking of this problem is long overdue.

However, we are caught in the bag of paying lip service to excellence although in our age this pursuit is vested in an unparalleled urgency, I think we are also caught in a bag which my colleagues on both right and left—I don't mean any other context except geography—I think we are caught in a bind of words.

We got together here and we have CAPE, which may be an umbrella agency that covers many—a multitude of factors, and we have hangups on the wording; is it private education, is it nonpublic education? What kind of education is it?

And I think we can get away from this hangup by looking not at the name, but by looking at what it does. It is neither private nor nonpublic; it serves the public good. It serves the public social needs.

There are many scientists that I know, that may colleagues know, who are not pushing ahead the frontiers of research, space conquest, for the sake of a stronger America. Is anyone going to walk over to them and say: "Hey, Buddy, where did you receive your learning? Where did you learn your physics, or your science or your willingness to contribute to the welfare of America? Did you receive it in a public or a nonpublic school? In a private or a * * *" what name will you give it? We are concerned with only one thing; that this person is serving the public good, and in that sense all our schools are public schools.

I have a nephew, incidentally, who is engaged in research now, one phase of research—to cure an incurable disease. I can tell you literally, Mr. Chairman, that he is turning his nights into days in the pursuit of this particular research project.

I don't know of anyone—member of government, legislator, public school educator, who ever walked into my nephew's office and tapped him on the shoulder at 2 or 3 in the morning and said: "Hey, Danny, where did you learn your biology, or your pursuit of doing something for humanity, to serve humanity? Did you learn it in a public or a nonpublic school?" Because those names and those semantic differences disappear.

They are concerned with only one thing; that what he did learn is brought to the good of the public.

In that sense, all our schools are public schools, and we are public schools in another sense, too. We obey the standards of the Government, our Nation accepts our graduates, and in striving for moral perfection, our educational goals are—we accept the graduates of nonpublic schools. We are part of the educational establishment in a State, but frankly, we are aliens, illegals, when it comes to financial support.

Much has been said this morning about pluralism in education and free choice in education. I won't belabor that point; I merely want to indicate that freedom of choice in education is not the equivalent of buying a Cadillac or a Lincoln Continental. It gets much more to the heart of the matter. One of our poor children in the neighborhood of Brooklyn does not receive the help or the guidance he needs, or the counseling he needs, this will hurt—does this aid or hurt the growth of our society?

My distinguished colleagues mentioned a great deal about alternatives in education. I think we live in very turbulent times and very promising times, and I think that in the turbulent educational waters of the seventies, educational alternatives may make valuable contribuitons to the fabric of the future and the public good of the State.

In some cases these alternatives develop models for the benefit of all; they may highlight a methodology or a procedure which can be shared by all. Some schools project away by which they can and do teach love of learning, and others, it is reaching out for the immeasurable value of high attainments.

For instance, some of our schools—we excel in the teaching of English as a second language; we excel, for instance, in certain programs in terms of the concept of decisionmaking, of providing a sense of identity, of roots, of cultural heritage.

Now, these are some of our strengths. These are the strengths of the alternatives to public education, and these alternatives can easily be found in the public school system, because we all merge in terms of the good if we are allowed to breathe, financially, and if we are allowed to share our discoveries with others.

The strength of the nonpublic schools is not in their similarity to other schools but in their differences. It is this difference which is an important factor in our Nation's survival and therefore this difference is no less worthy in these days of turbulence, identity crisis and the reaching out for the dignity of the individual and the distinctive group.

I listened carefully to the opening speaker who represented HEW about the President making a strong statement. I think that a strong statement, made in a strong way, is deserving of applause at a banquet. But I do think that legislation in a strong way, and implementation in a strong way, is deserving of applause by all the millions of children who attend nonpublic schools.

Let me quote from a Court brief, one of the fine decisions with which we can live, "Pierce versus the Society of Sisters," in Oregon. In a Friend of the Court brief, the late Louis Marshall said:

> The nation is no more preserved by the public school than it is by the other agencies. The Fathers of the Republic and a large proportion of our finest citizens never attended a public school, and today some of the best examples of Americans have received and are receiving their education outside of public schools.

I quote this from 1925, almost a golden anniversary for golden words.

In 1971 the basic issue which your committee faces is whether the Nation is willing to preserve other educational agencies along with the public schools, all of which play a role in the preservation of our Nation.

We see in the decades ahead we're geared to the concept of educational alternatives; such alternatives should be keyed to the preservation of the Nation.

But likewise, the Nation should be keyed to the preservation of educational alternatives. One without the other I am afraid is only rhetoric, and rhetoric neither builds nor preserves.

Mr. Chairman, I will look to your committee and to the Congress to preserve the old and build the new.

Senator PELL. I appreciate the testimony. You have laid a pretty strong groundwork about the contribution of nonpublic school education. We are particularly concerned about what we can do to help you.

I think that most of the testimony so far has been along the lines of what you do; it is important, I also want to address myself to what we can do to help you, while you are all here, and as the last witness said, we have to translate rhetoric into legislation.

However, going back to the testimony, there are a couple of things I wanted to clarify.

What do you think is the most unique contribution that is made by the nonpublic schools? Is there any one common denominator here? The fact that there is a dualism of choice, perhaps, or is it the decision-making you earlier mentioned? Or is the sense of discipline?

Do you think there is any common thread to the uniqueness of the nonpublic school education?

Mr. POTTER. I am sure there will be many answers to that question. My own answer would be tied to the question of choice—of parental choice and parental involvement in the education for children, and I think the corollary is the freedom for the individual school to pursue an educational approach which it believes is important.

This may be very different from the current trend or it may be resisting the current trend. I think that as someone has said earlier, we know too little about education, about how children learn, about how they should be educated, at this stage of the game.

We need as free as possible a climate for exploration of educational efforts, and I think it is the independence of the individual institution to pursue its own course that promotes that.

Senator PELL. One other point is the freedom of choice that is available to people? How do you make this freedom of choice a reality to the middle-class parent who perhaps cannot afford the tuition, or whose child is not eligible for the all-too-rare scholarship in this type of school?

Do you see any way the Government can help? Do you see any other ways that we can make duality of choice more a fact of life?

Mr. POTTER. Mr. Ayrault would like to reply to that.

Mr. AYRAULT. While involved in the study of the American independent schools, a proposal was drafted for an educational allowance that in many ways is similar to the program you have advocated at the higher education level, a kind of voucher like the Pell grant. The aim is to support parents; as in the case of the GI bill, this avoids direct support of religious institutions.

This method also speaks to the issue of entanglement, excessive entanglement. In order to exist, nonpublic schools must satisfy state minimum standards for approval or licensing. They must show that they in fact accomplish the state's secular purposes. Thus the Government need not be concerned to find out what, in addition to those secular purposes, a school may in fact accomplish, such as religious training. It is sufficient to know that the state's secular purposes are achieved. I do have this draft, and I would like to submit it for the record.

It is an inversely graduated tuition voucher. Basically, it suggests that there are some families today who have choice, two kinds of choice: they can choose a private school or they can choose where they live, thereby choosing a public school. It would seem to be wise public policy, therefore, to use tax dollars to help make choice possible for those who don't have that choice now.

Senator Pell. The voucher system, this is the first mention of that all day. Do you as a group support the voucher system?

There is tremendous opposition to the voucher system; the NEA is very upset concerning it, and there is a good deal of heat growing against it.

I was wondering what your views were about the voucher system.

Mr. Potter. Well, let me tell you my own views.

I can't say that this organization, that is to say, CAPE, as a group has a position on it. I suspect it may vary among the members.

My own feeling is that the voucher experiment needs to be tried, a position we have taken in the National Association of Independent Schools. I think that much of the concern about the potential impact is based on suppositions about how people are going to behave. I think it is very difficult to predict that.

I feel that the voucher experiment which has been proposed should be carried out, and then we will learn something about what kind of possibilities that particular program offers. I think it is impossible to make a firm judgment without actually trying it in the field, and therefore we support this experimentation.

Mr. Ayrault. I might comment as a member of the Voucher Study Committee in Seattle, one of three cities currently examining the possibility of the OEO Voucher experiment. The returns from Seattle are apparently consistent with the other cities: despite a great deal of vocal opposition from various organizations, the majority of community parents express interest in vouchers. The returns are about 2 to 1 in favor of the voucher system—about 40 to 55 percent express positive feelings, about 20 percent are opposed and the rest are undecided.

Senator Pell. Would you repeat those statistics?

Mr. Ayrault. Yes. Between 50 to 55 percent of parents favor the voucher plan, about 20 percent are against it, and the remaining percentage are undecided, so parents are more than two to one in favor despite organized opposition.

Senator PELL. These are public school parents?

Mr. AYRAULT. These are community parents. Random samples from communities where a voucher experiment might be conducted.

Senator PELL. Taxpayers?

Mr. AYRAULT. Yes.

Senator PELL. Going back to the so-called segregation academies, how do you expect to exclude them? You mentioned they were not members of the organization. How can you make sure they are not?

Mr. POTTER. Well, should such a school apply for membership, we would simply find out what they felt, what their position and policy was, and if they were not on an open admission basis we would not admit them.

Senator PELL. I see. In other words, your association is open only to schools that do not segregate; is that right?

Mr. POTTER. The CAPE organization is open only to organizations of schools which subscribe to a policy or upon admission. Now, speaking in my capacity for the National Association of Independent Schools we require as a criterion for membership an open admissions policy in all our schools, and that would also be true at the State and regional levels.

The present IRS ruling is that you cannot be a tax-exempt organization unless you have an open enrollment policy.

Senator PELL. I am not sure it is quite that simple, because in the South there will be schools that say they might have an open admissions policy but don't have, and so on. How would you—how do you try to handle that?

Mr. POTTER. Well, I can speak only for my own organization now on this point, because we deal directly with schools, and I am sure others can speak to it, too.

We look very carefully at schools applying for membership. They have to supply a good deal of information about their sponsorship, their finances, their policies and practices. They have to be known to others, and to be periodically evaluative.

Senator PELL. I understand some of the escape schools do have IRS certification; they shouldn't have, but they have.

Mr. POTTER. There is no question but that enforcement of the IRS provision is a difficult one. It should be pointed out that it is perfectly possible for a school to exist in an area where there are no minority students to enroll.

Of course, there is a factor of good faith in any individual situation, but over any period of time, the good faith is bound to be evident, or not evident, on the basis of the record, it seems to me.

Mr. AYRAULT. I could speak to the OEO Voucher requirement in this connection. Any participating school must show, in its actual voucher enrollment, the same proportion of minority students as were available in the applicant pool. There is an agency which monitors this.

Senator PELL. Now, these various Federal programs that are presently being used to help students in nonpublic schools, which ones in particular have you found most useful, most helpful?

Rabbi GOLDENBERG. Well, title II of the ESEA is something we can live with very confortably, because this applies to the nonpublic school student across the Board, audio-visual aids or books, depending on the local area and the local school.

Title I on the other hand, in our experience, holds no goodwill of the legislature that is there; it is there, but when it comes to implementation of the legislature, we find much that is wanting. This is about all that we are receiving on the Federal level.

May I add just this one remark? There is, of course, the Supreme Court decision about excessive entanglement, and I think this arises out of the fact that when we think of the teaching procedure we see someone who is alive, a human being, a person; we see someone who is alive and dynamic and afraid of excessive entanglement, but a TV received, lab equipment—is not alive and does not fear the excessive entanglement with equipment. Or let's say certain administrative services, or a filing cabinet.

In other words, it can be much more done with the nonpublic schools with no fear of excessive entanglement creeping in in terms of material, or in terms of facilities, in terms of mandated services which are secular and non-ideological.

I think this is an area of explanation.

Dr. D'Alessio. I would agree with Rabbi Goldenberg, specifically as regards ESEA title II. I think that our particular participation has been most equitable in that area.

Title I, I think has been most interesting especially in terms of the Airlie House Conference to which the previous witness alluded. One of the recommendations of that conference was that ESEA title I be fully funded. It is very interesting, that when public and nonpublic school administrators sit down, this is the one title they single out full funding.

We participate in title III, but I think if you would survey the nonpublic school administrators across the country, they would be generally disappointed in their participation in this title.

The President's Council on Innovative and Supplementary Centers is conducting a survey of nonpublic school involvement in ESEA III.

The other programs in which we are involved and for which we need data are school food services, special milk, and driver education.

Senator Pell. I was looking through the table that Mr. Kurzman gave us earlier, and there in title II normally $5 million available to nonpublic schools—I wish it was $5 billion. However, there is a great deal more money invested for nonpublic schools in other titles of the ESEA.

I was wondering why these are not taken more advantage of by the nonpublic schools?

Mr. Ayrault. I can speak to title III, sir. I am a member of the State title III Advisory Council.

It is important to note that title III was intended to stimulate imaginative and innovative thinking among schools. You really cannot do that among private schools unless you can allow them to initiate a project. But the whole thrust of the bill has been turned around in respect to private schools to require participation by nonpublic school students. Because States must meet legal guidelines, they sometimes make sure that some private school children participate in the programs. But the aim was to stir teacher imagination; title III is not an operational bill.

The fact is that you cannot realistically ask one group, one system, that has operational responsibility for its own schools to administer a program to benefit other schools. Public schoolmen are pressed, they are busy men, they work on their proposals, and then at the last minute, just before it needs to be submitted they will call up the local private school and say "Will you please come in and sign this document because we have to show private school participation." And you have a few hours to study the proposal, sign it and send it in.

We obviously wish to avoid making a fuss and forcing the legal issue because we try very hard to maintain positive, cooperative working relationships with the public schools.

Senator PELL. In toto there is available $5 million under title II, $10 million in title III, and $47 million under title I.

Why is this not taken advantage of by nonpublic schools?

STATEMENT OF REV. JOHN PAUL CARTER, EXECUTIVE SECRETARY, NATIONAL ASSOCIATION OF EPISCOPAL SCHOOLS, NEW YORK, N.Y.

Mr. CARTER. I am John Paul Carter, executive secretary of the National Association of Episcopal Schools.

I think the quick answer is implied in the very question you asked. There is a significant difference between title II and title III. Title II suits all of us best because it is a straight per capita matter. It applies to public and nonpublic alike, so that if you can establish accurately what your population is then your access to the benefits of that title are quite clear cut—it has to do with the population strictly and it has saved an enormous amount of redtape.

With the other title—III—we are subject to levels of bureaucratic approval which are frequently arbitrary, which are often incompatible to us, and which require adjustments that are to our disadvantage. The result is that the public institutions get a much higher proportion of these funds, and the nonpublic schools receive much less in proportion.

For example, Mr. Ayrault has discussed experimental work. Most of the money has gone to university laboratory studies, and very little to schools themselves, especially nonpublic schools. Generally, to satisfy requirements that the nonpublic segment be included, a few nonpublic children will be included—in test populations, for example—to legitimatize the matter.

So the equal terms of application of the title II system has been a major advantage to us.

Senator PELL. But you must have your own redtape artists, too. Can't they unlock these—get inside there for these larger amounts of funds?

Mr. CARTER. The problem is not only the redtape itself, but also the approval of public officials who are very often not too cordial toward the eligibility of the nonpublic sector. Even so we have found that it is extremely difficult to wrestle with the redtape and secondly, we have found that the application of this on a population basis has been quite just.

(The letter and prepared statement of Rev. John Paul Carter follows:)

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January 24, 1972

Senator Claiborne Pell
Senate Office Bldg
Washington, D.C.

Dear Senator Pell:

As I promised, when we chatted after the appearance of representatives of the Council for American Private Education before your Senate Sub-Committee on Education, I have prepared a formal statement on behalf of the National Association of Episcopal Schools.

I believe the statement is self-explanatory and properly documented. If there are responding questions which you would like to ask, please send them to me and I will do my best to provide specifics.

It was a great pleasure to meet with you and to chat about St. George's School, Newport, and about your cousin Weldon, the former headmaster at St. Andrew's.

Very cordially yours,

John Paul Carter

(The Rev.) John Paul Carter
Executive Secretary

JPC:ab
Encl.

Cc: Mr. Stephen Wexler

These thoughts are presented to the
Senate Sub-Committee on Education
by the National Association of
Episcopal Schools, a voluntary
organization representing the
1000 schools relating to the
Episcopal Church -

THE FINANCIAL SUPPORT OF EDUCATION
IN
THE UNITED STATES

Submitted by:
The Rev. John Paul Carter, Executive Secty.
National Association of Episcopal Schools

12/2/71

SUMMARY

I. Education is an ultimate concern of our society - as important as defense, food, or health. As such, it lies within the special province of the federal government.

II. All American education is in crisis.

III. All know this crisis has financial causes.

IV. The federal government has responsibility for the public purse and (therefore) all know that the federal government must sooner or later enter the education picture in a large way.

V. The federal government also has responsibility as guardian of the public ethic and freedom. At the hinge of this freedom is the right to religious commitment and free choice, and this has consequences for education.

VI. Strictly in terms of the language of the Constitution, the federal government has no more responsibility to use public funds to enable public education than non-public education; neither is specified and no superiority or higher right of access to public funding or any other inherent advantage can be claimed by public education merely because it is public.

VII. Therefore since the crisis is general,
since freedom must be upheld,
since the federal government must find ways to increase greatly the financial support of education, and
since no Constitutional bar exists,
the federal government must find lawful ways to support both public and non-public education.

From the very beginning of the Colonies, we Americans have seen that education is the key to our well-being, and we therefore have purposed to provide more education for more of our people than any society on earth.

The measure of our success in the past now powerfully levers our concerns for education in the present and in the future. Our diplomatists have spoken of the rising expectations of men in the far parts of the earth. These expectations exist in the United States also, and they are importantly focused in the matter before us now -- our people look to education as never before. It is this thirst for education which exacerbates; a dull and unintelligent people would not care.

The stake of the people is very powerful, indeed. Education receives the largest human commitment of our society. Presently 39% of the American people are engaged in education full-time as students, teachers, administrators, and in support industries. Nowhere is the imbalance in national priorities more clearly discernible than here -- with 39% of our people fully involved, the Federal expenditure is only $7,700,000,000 [1], out ot total receipts of $209,985,000,000. [2]

The United States is in the midst of a crisis in education which deepens every day. Teachers have unionized themselves, crying out for higher wages and better working conditions; they have gone on strike and closed the schools in whole cities for days on end. Public confidence wanes and bitter struggles emerge between citizens and school administrations. And all the while, the educational performance of the young decreases, especially in the cities.

All know that the problem is importantly one of money. The capability of local resources diminishes alarmingly as it becomes evident that the taxable base of support simply is not there -- that is why the Congress is so deeply involved. The difficulties are immense and the decisions made will deeply affect the future of our society.

At the same time that the national need for education and the educational hopes of our people have sharply accelerated, the costs have steeply increased. The matter is one of simple quantity -- if our task were only to provide for more people at a fixed cost per capita, it would be relatively simple; or if it were only a matter of job training for a people defined as mere skill units, it would also be relatively simple. But we are entering a new era in our national educational considerations. Our current money allotments are not meeting our needs and are not providing elementary literacy and the fundamental job skills necessary for our advanced society. While it may be true that federal efforts in the direction of reorganization are important, the fact remains that the present level of expenditures simply cannot do the job even if every penny were spent at 100% efficiency. The federal expenditure for 1970 comes to only about $130 per capita. [3] We are presently so far behind that more than 30 million of our people really must be considered functionally illiterate. [4] It is these hard realities that have generated the enormous pressures in our society that lie behind a concern for the Right to Read and have forced us to realize how little vocational education worthy of the name we really offer.

But our society asks more than measurable quantities of literacy skills. Our present crisis is very centrally a crisis in the quality of our national life. All realize that education is as essential to the healing of our social wounds as it is to any merely quantitative consideration. Though there was a time when our real difficulties were material (how to populate a vast continent, how to establish an efficient transportation and communication system to bind it together, how to discover the riches of the land and to utilize them), they are now human and aesthetic (how to live in peace, and how to ameliorate social differences, how to make the city work, how to free the riches of the human spirit and to utilize them, how to make the environment a place of health and safety). In short, our educational system is charged with responsibility, not only of providing for our material needs, but also of moving now to achieve a real equality of opportunity and to realize a true freedom to develop every human talent.

Long before the time when our material needs could be met, our forefathers did not hesitate to promise that our nation would provide also for the pursuit of happiness. Building upon their foundation we have achieved unparalleled prosperity and power above every other nation -- we possess now the ability and the means both to provide the materialities and also to realize that promise. A new dimension must therefore enter into all our thinking about the financing of education. In our generation we must take the initiative to provide the legal framework and to fund new advances in education which will be as fundamental in their significance as those which established public education and which provided the land grant college system.

We believe that basic federal support for all education is inevitable. This is because education is central to the national purpose and because the federal government is the custodian of the national purse with the responsibility to provide for the achievement of the constitutional promises.

This is not to say that we have any requirement to establish any monolithic system of education. We Americans have always found our liberty in plural variety. Creeds, races, tastes, and all other lawful differences have found hospitality here. It is obvious that we must find the way to guarantee and enhance that variety and that freedom in education.

Public education cannot serve all our people or meet all educational needs. There are fundamental needs in our common life, including specifically religious ones, which the Constitution forbids the government either to interfere with or to provide; and every one of these has educational aspects. It was religious men, for religious purposes, who first established education in this land. And it is religious men for religious purposes who have again and again advanced our liberties and deepened the public conscience -- for the roots of anti - slavery and civil rights, the movements towards labor justice and social welfare, the efforts for the protection of children and women, and the establishment of our hospitals, all began from religion. Education is no exception -- it is religious educators who have begun the work and devised the methods which lie at the foundation of a great many of our modern advances and innovations, and they have pioneered in the extension of educational opportunities to the disadvantaged and handicapped. The religious sector has been the forefront in hunting out disparity and need in our society and seeking educational remedy for it.

Those concerned for independent and religion-based education have matched their efforts with generosity. Even today, with all the burdens, non-public funds provide over one-fourth of the total national expenditure for education, more than twice what the federal government provides. [5] Non=public institutions educate more than 7,600,000 of our people, more than one in every eight of those in school.[6]

But these figures are a cause for alarm. While our needs for plural expression and plural education abide,[7] the ability of the non-public schools diminishes absolutely and proportionately. The public statistics will show that non-public schools educate ever-smaller percentages of our young. Their financial ability decreases in the face of the steeply rising costs. It is not only Roman Catholics who have suffered drastic decline, only a generation ago the non-public colleges and universities were able to educate more than half of those who were going beyond high school.[8] The percentages are nowheres near as high as they were at any level from pre-school through the higher education. The whole private dimension in American education is steadily diminishing.

We need to ponder very deeply whether we wish to allow further declines or whether we may not wish instead, in the national interest, to reverse them. We need to ponder very deeply whether the nation can afford either to be deprived of the non-public schools or to limit their role in education only to serving those who can afford to pay their full cost.[9]

For many years, public advance toward funding all education in America has been hindered by an unexamined view that the term "education" necessarily means "public education" and that "support" equals "establishment". But the Constitution does not provide such easy identities. Public education did not exist when the Constitution was written and ratified, and it cannot therefore be adduced that the government is any more obligated to support public education than non-public; or that, when the government does choose to support education, it can only be limited to the support of public institutions. Neither is specified in the Constitution and no superiority inheres to either. Indeed, in the earlier days there was frequent support of non-public schools below the college level; and there is a generally understood view that non-public colleges may be fairly and impartially supported in the same ways as public colleges, religious institutions excepted.

A society that honestly seeks to be free and to preserve its freedom must not only permit but encourage the independent and religious schools.

For all these reasons, we offer the following considerations as a summary:

1) The United States has reached the time for a major advance in education.

2) This advance must necessarily involve public funding of all education.

3) Non-public education is as important to the public weal as public education and must therefore be supported.

4) Ways must be devised which will allow for such public support without curtailment of the freedom, variety, and innovative liberty of the non-public sector in education.

5) No system of public support would be compatible with the Constitution promises which would provide for independent secular schools but would prohibit religious schools.

We thank you for the opportunity to present these views and will be glad to respond either in verbal or written testimony to any further questions you may address.

Respectfully submitted,

John Paul Carter

The Rev. John Paul Carter, Executive Secty.
National Association of Episcopal Schools

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(6)

FOOTNOTES

1. Department of Health, Education and Welfare, Office of Education, PROJECTION OF EDUCATIONAL STATISTICS TO 1978-79

2. United States Treasury Department

3. Based on U. S. Bureau of the Census report on October, 1969, enrollment of 58,718,000 (ages 5-34 years), and a total federal grant of $7,000,000,000 (the figure is actually lower because no calculation has been made for adult education, part-time and vocational education, or special services that are included in the total federal grant.)

4. Based on U. S. Bureau of the Census CURRENT POPULATION REPORTS - cited p. 113, 1967 STATISTICAL ABSTRACT - Series A Calculations for 1970 on those who have completed eight years of education or less.

5. Department of Health, Education and Welfare, Office of Education, PROJECTIONS OF EDUCATIONAL STATISTICS TO 1978-79, Figures for 1970: Total for all education $65.8 billion, of which $7.7 billion is federal and $16.9 billion is from non-public sources; additionally $19.8 billion are expended from state sources and $21.4 billion from local sources.

6. 7,600,000 people out of a total enrollment of 59,200,000, 1970 estimates (U. S. Office of Education).

7. This was surely the judgment of the U. S. Supreme Court in the Pierce - Sisters of Mercy case and others relating to church-related schools.

8. U. S. Office of Education figures for 1929-30; 568,090 private and 532,647 public.

9. If we choose the latter, then we will indeed be creating a class society.

Senator PELL. I am wondering if this is not one area where we can put our heads together, redtape is caused partly by us and partly by the executive branches of the Government. Now, could we not change the law perhaps, next time ESEA revision comes up, and insert some words of art that would open up these particular programs to you, those that you really have not taken advantage of.

Mr. POTTER. I think that is a very likely possibility, Mr. Chairman. Part of the lack of use is because of administrative complications. Many of the private schools do not have the redtape experts; it may be one small institution which may have a publicly legitimate activity and doesn't know how to cope with the complexities of it.

Senator PELL. Maybe this is the way your organization should play it. Maybe you should get a man in Washington as your full-time man to help work on this.

We have come up with no new ideas, either from your group or the administration or ourselves. We are left with the alternatives of trying to enlarge the present means of help. If this oversimplifies any of this, I wish you would tell me.

Mr. POTTER. I wish you would underline that. It is very important that we find ways to make the existing programs work better. It may require some revision in the legislation and in the guidelines and procedures, and we will be more than glad to work in that direction.

But we need also to continue to explore the possibilities of tax credits, of vouchers, of the availability of Federal programs for research, curriculum development, and teacher training, of special programs for disadvantaged and minority students as on the college model, and possibly low-cost long-term loans, also on the college model.

Senator PELL. You all agree that unfortunately there is no new approach?

Mr. AYRAULT. Unfortunately, that is correct. But there are models. Title II is a model; it is a model that works, and I think it is important to know why it works.

Senator PELL. The program is in being now.

Mr. AYRAULT. But I speak to the other questions you raise, the possibility of making moneys more accessible. I am in a State where the level of cooperation and interest of a State superintendent and his office and staff are superb. They really feel their responsibility, of both private and public schools in their State and they work with them in the gravest posture of this spirit.

Despite that I know that Reverend O'Neal, who is superintendent of the Catholic diocese in Spokane, has worked over and over again to try to get the title I benefits or title III benefits, and he was simply unable to do that. The reason this happens is because if you put legislation through a human mechanism, where you give money to people who have operational responsibility, for one system of schools, and ask them to assist a different group of schools. This simply will never work.

Mr. POTTER. Mr. Chairman, you spoke about making existing programs work better. I would like to speak to an important aspect of the existing situation, if I may, and that is the whole question of the encouragement of private philanthropy as a critical element in the existence of private schools. In my opening statement, I indicated that the private sector, according to USOE estimates, was expending something in the neighborhood of $5 billion annually. A significant portion of that is in the form of voluntary contribution for annual giving and capital programs. For example, some 550 schools in the National Association of Independent Schools reported a total of about $107.5 million in voluntary contributions in 1970–71. Few schools can operate on tuition income alone, and it would be safe to say that no school can build a new building, equip a new laboratory, or make any major change in its physical facilities, or, in many cases, undertake special educational programs or projects, without voluntary contributions. A crucial factor in the maintenance and growth of this voluntary support is the Government's tax policy with respect to such contributions.

At the time of the tax reform hearings in 1969 there were various proposals having to do with the treatment of philanthropic contributions which, had they been enacted, could have come close to knocking out a major portion of gift support for schools, as well as every other voluntary enterprise. Until the closing moments of the debate, there was very little realization of the essential relationship between the existence of private institutions and the tax treatment of contributions toward that existence.

Without a clear realization of this relationship, it is possible for an indiscriminate search for the cure of tax abuses to lead not only to cure of the real abuses but as well as irreparable damage to institutions whose very life depends on legitimate voluntary support. Judging from reports in the press and from the comments of tax reformers, there will be, in coming months and years, additional discussions of revision in the tax laws governing contributions and, possibly, the whole area of bequests and inheritance. I believe that in any discussion of what needs to be done to encourage the continued operation of private institutions a first order of business should be the continued encouragement of philanthropic support, for without private voluntary support there will be no Government program that can do the job. So I would urge the Subcommittee on Education to have as one of its ongoing concerns a jealous protection of those elements of the tax laws which properly encourage legitimate private philanthropy.

Senator Pell. One other thought, too; we want to put more Federal dollars into private educational institutions, but that means the greater possibility of Federal control. He who pays the piper calls the tune. That's one of the facts of life.

In general, there is no conflict here, but I think this should be brought more into mind as being one of the dangers.

Mr. Carter. Maybe I can respond on a couple of points.

One is that I think that with respect to the matter of control, I think it depends, in our minds at any rate, very frequently on the way you look at the matter. We feel that with respect to matters in education, we are very frequently singled out in a way that other people in this society are not singled out.

For instance, in matters of contracting to purchases services, a term that has been used within education and with the Government in other matters, the burden of proof, in a way, for breach of contract, and the morality of the matter, lies with the Government, and that the matter of excessive entanglement is not as much a part of that as it is in our particular case.

Within the first amendment provisions, the two clauses—free exercise and establishment—I would say that it would be impossible to prove that there has ever been any serious effort—in the United States that the burden of proof would certainly lie with anybody who wanted to take a different stand, but if the matter were understood within the free exercise, the question of the choice and the right, and whether people may be discriminated against in exercising that right on financial grounds—which is what it mounts up to—it might seem to be then more impossible to do things than otherwise.

Mr. POTTER. Mr. Chairman, may I have Mr. Blanchard respond to your question about controls?

STATEMENT OF JOHN BLANCHARD, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF CHRISTIAN SCHOOLS

Mr. BLANCHARD. I am John Blanchard, executive director of the National Association of Christian Schools—Christian in a historic and New Testament sense, rather than in a denominational one.

I like to think that there is an answer on controls and an answer to your question as to the unique contribution of the private schools.

I view it as a contribution and strengthening of the home; I won't go into the sociological arguments here, but every one of our schools, regardless of theological orientation, is strengthening home and family relationships, which many regard as the foundation of a secure society.

And I would like to suggest that a firmer stand for education should be focused on strengthening the hands of parents rather than perpetuating the existing school institutions; we would open the door to some fresh air that might well strengthen the American family and thus strengthen the total fabric of our society.

The group that I represent very strongly believes that the operation of our schools is one which is guaranteed to them under the free exercise of religion, because they believe that it is their religious responsibility to bring up their children in the nature and admonition of the Lord.

So we disagree with the Supreme Court observation that education can be divided into the sacred and the secular. We believe that it is all touched, and the recent decisions have something to say about that problem. We suggest that this is a false dichotomy, to move on and then to say that if this is the case it is possible to have neutral education as well as religious education, we feel here that we have a logical impossibility.

So we would like to talk about taxpayers' children, not schoolchildren, and we would like to make it possible for taxpayers to give their children the kind of education they want them to have. We are convinced the judgement of the parents will, in the mass and over the long run, the long haul, provide a stable society that will be a blessing and benefit to us all.

Senator PELL. If you have any further thoughts, the record will be kept open for at least a month.

And also I think—this is a suggestion I made—I will look into how the present programs can be simplified and enlarged. For the next round of EASA legislation. That would be a very good idea indeed, that is something you could all work together to that end.

I congratulate you all on setting up your organization. I made a commitment at the time of the Court decisions, that I believe nonpublic schools should be helped, are deserving of help and will try to find the best way of doing it.

Perhaps what we have received from this hearing will not be so much the development of a new program but the making available of the present programs.

I thank you for a very informative hearing and look forward to staying in touch with you.

Mr. Potter. Thank you, Mr. Chairman.

(Whereupon, at 12:25 p.m., the subcommittee recessed subject to the call of the Chair.)

AID TO NONPUBLIC EDUCATION, 1971–72

TUESDAY, JANUARY 11, 1972

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Providence, R.I.

The subcommittee met at 10 o'clock in room 316 of the Federal Building, Providence, R.I., Senator Claiborne Pell (chairman of the subcommittee) presiding.

Present: Senator Pell.

Committee staff members present: Steve Wexler, counsel for the subcommittee; and Roy H. Millenson, minority professional staff member.

Senator PELL. The hearing of the Subcommittee on Education will come to order at this time.

Today, the subcommittee will hold its second day of hearings on the general subject of nonpublic education. The initial day was held in Washington on December 2, 1971. It was a most informative one, with both the administration and representatives of various groups discussing the general scope of nonpublic education. That hearing did not look into the legal and constitutional questions pertaining to the church-State relationship; rather we thought to understand what nonpublic education is, where it is, and what it does for the children.

Contrary to popular belief, there already exists Federal programs in which nonpublic-school children participate. Because of the oft repeated constitutional question and the much discussed Supreme Court decisions, the fact that the Federal Government has recognized the value of nonpublic education and has provided a certain amount of assistance has been overlooked.

Under the Elementary and Secondary Education Act of 1965, some aid is available to nonpublic school children. The first three titles of that law provide financial assistance for the education of children living in the poorer communities of our Nation, library resources and textbooks, and educational centers and services to enrich the school programs. Children attending nonpublic schools are eligible to share in these programs. In addition, there are other programs which aid children in private schools through university based science institutes for secondary school students and various school lunch and milk programs.

Once we understand that there presently are programs available to nonpublic schools, two methods of aiding such schools come to mind. The first is that we should fully fund presently authorized programs. With more Federal money going to the States for education, the nonpublic schools would share to a greater extent in the Federal benefits. For example, it is estimated that in the school year 1970–71, Rhode Island received $4½ million in Federal aid to education. If the appropriation were $2\frac{1}{2}$ times greater, in other words, if the authorized figure was fully appropriated, that figure would grow to $12 million, and the nonpublic school children of this State would benefit commensurately.

The second point to recognize is that assistance to nonpublic school children in various categorical programs has not been challenged. Perhaps a greater use of this categorical approach could be studied to make even more funds available.

This second day of the hearing, here in Rhode Island, should be informative and helpful. Our State has the largest percentage of school-age children attending nonpublic schools of any State in the United States. Studying Rhode Island nonpublic education at the local level will help us to further understand the national problem.

I regret that Senator Javits the ranking minority leader for the full committee could not be here—he has submitted a statement. He says:

> I very much regret that a conflicting engagement has prevented my joining Senator Pell at the hearings in Providence. The Education Sub-Committee at this time is conducting studies with hearings in key locations of problems besetting education of some 13 percent of all of our American youngsters who attend nonpublic schools. These programs are particularly acute at this time due to the financial crisis faced by non-public as well as public school systems and take on special significance in the light of recent Court decisions in the constitutional questions involved. I will review the transcript carefully as I'm sure will many others of all the points of view who are concerned with this question.

He is represented by minority staff counsel, Mr. Roy Millenson, who has come up here representing the minority and we have the counsel of the majority, Steve Wexler, with us for this hearing. I would add in a more personal note that I have an acute interest in this problem, not only as the Senator from Rhode Island but a man that believes in the importance of a dual thrust to our educational choice and one whose children, my own children went to nonpublic schools. Indeed my own family's house was given to the Catholic Church for a school which unfortunately is now broke and out of business because it had no more funding, no more support. I am particularly interested in the hearings today.

We will start out with the official witnesses and will hear from anyone who wants to be heard. I would hope that the statement would be kept around 5 to 10 minutes; longer written statements will be put into the record in full. We are very lucky that the first witness is Dr. Fred Burke. I should say here that although our State is small in size the Commissioner of Education for the State of Rhode Island has a truly national reputation. He has a mammoth responsibility in that he is the only chief State educational executive officer who has the responsibility for all the education from kindergarten through grade school and high school and the only man with this responsibility in the whole United States. I am glad to greet him personally as a man doing his job in a fine way.

STATEMENT OF DR. FRED G. BURKE, COMMISSIONER OF EDUCATION FOR THE STATE OF RHODE ISLAND

Mr. Burke. Thank you very much.

Senator Pell, I am pleased to have an opportunity to speak on the subject and it is one of the more controversial subjects in education in the country today. We are all aware of the skyrocketing cost of education which afflicts not only the public section but the private schools and the whole range of nonpublic schools in Rhode Island. The question I think that we are going to have to face is should the schools continue their programs of total education or those of church related possibly put all of their effort into total religious education for all of the members of their congregations. There is no doubt that the Catholic schools in our State are in financial trouble due to the increased cost of lay persons on the faculty. We know for example, that the average salary of one lay teacher is probably equal to three sisters and the problem that we have, of course, is that the Supreme Court seems to view with great skepticism the various proposals put forth by States in order to find a way to utilize public funds to support church education, church-related education, and private education. The tuition of our private schools particularly the church-related schools is an effort to balance the educational budget and one of the implications of which I think concerns many of us is the process and the tendency to automatically exclude students from the low-income families and if there is a process whereby the decline in Catholic education affects the public schools it tends to channel children from low-income families more quickly into the public schools and, therefore, creating certain other kinds of problems. There is a great deal of concern within the church and within the educational divisions of the church but there seems to be no alternatives to this process at the present time. There are a number of options and I will try to touch upon them very quickly.

Some of them probably are questionable in terms of how they would be received by the Constitution. The first, of course, is the total withdrawal of the Catholic Church from the field of education leaving a monolithic educational complex in its place and a multimillion dollar education for the public sector in Rhode Island. Now, it is conceivable to me, in the long range, that this is exactly what is going to occur. My concern as one who has particular responsibility for public education is that if this does occur because of the Courts or because of the decision of the church itself it seems to me that it is the children that suffer and we should find a way to face these things and lighten the burden or this is bound to occur. I would say that the children from the lower income families are the ones that are hit the hardest. Another alternative is a limited continuation of the Catholic schools catering chiefly to the upper white middle class families of Rhode Island which seems to be not only detrimental to public education but to Catholic education as well. I would think this would be viewed with some caution particularly as has been designed for policy in the Cambridge, Mass. I have taken considerable time to study what the affects of the voucher system would have in Rhode Island, of course, on a decision made at the local level and I have serious questions about the voucher system. It raises many problems and it could lead to the dismantling of a considerable part of public education as well as private education and there seems to be no willingness on the part of those promoting the voucher system to provide a way to put Humpty Dumpty back together if the voucher system didn't work. The various tax credit programs would be a fourth option. We have some operations in Minnesota on the tax option program and because of the relatively little affect of taxes on low income families it discriminates between various categories of American citizens and this is neither in the interest of Catholic education or public education.

A scholarship plan would be the fifth and Maryland has a system such as this and I have not studied this carefully, but I believe would require significant changes in legislation and would raise, of course, some constitutional issues and may be just one more device that could be used in order to stay what many conclude to be the inevitable.

There are some more recent suggestions which I am not going into great detail here but which are appealing to me, would be the cooperative venture between public education and private education utilizing the facilities of the schools and resources in some kind of a cooperative venture. The extent to which education, particularly beyond let's say the elementary grades; that is, junior high school and high school are looking for alternative patents, moving education outside of the schools and utilizing education experiences other than a direct relationship with someone called a public school teacher and it seems possible that the extraordinary variety going on in the educational process might make it possible to develop some sort of cooperative relationship with private institutions which would enter into the public educational process, one of which will be the existing provision of education by the Catholic Church. This area needs considerable more study and I think our staff now is in the process of looking at this alternative. I would conclude, Senator, if I could, my statement by indicating that regardless of the schemes, regardless of what attitude we take toward the enormous problem—the problem of public financing, the problem of rapid changes in education and the implication of the decline in the variety of education that the last analysis we always bear in mind is, that what we do, we do with full consideration of the effect it has upon the children of the State and that should be the total measure, the sole measure of any decision we make because after all the future of us all is how well we educate our young people.

Thank you very much for this opportunity to speak.

Senator **Pell**. Thank you, Dr. Burke. I would like to ask what would be the effect on public education system, and the tax structure here in our state should the nonpublic school system actually go out of business?

Mr. **Burke**. I think that we have seen the effect already. We have a $600,000 deficit in the school function program in Rhode Island this year. One of the reasons for this deficit is this assessment and the estimate that we made of the local school system is in error in part because of the fact that some property went off the tax base and the total number of children in some of the public schools increased drastically because of the declining enrollment in the Catholic schools. The effect on the State is increasing costs particularly from an educational point of view and I think the effect is not healthy. I believe there is a great deal to be said for variety in education. I think that public education may be the keystone to our system but private education and Catholic education are important in giving us the kind of vitality and variety in education that possibly contribute to the greatness of this country.

Senator PELL. Very roughly if the nonpublic schools went out of business, what would be the additional tax burden put on the citizens of Rhode Island?

Mr. BURKE. About 25 percent of the children are in private schools and I suppose one could assume an increase of 25 percent. I wouldn't think it would be that much because obviously there would be some slack basis and some of the public schools we know that the peak of enrollment in secondary and elementary probably is going to occur by 1975 or 1976 and it is conceivable that the leveling off in 1980 in terms of school construction and material facilities which may pose a problem. Of course, in terms of teacher qualification for education it is very difficult to assess.

Senator PELL. Actually from the point of view of mathematics it would increase a third because presently we have 75 percent of our children in public schools and, therefore, if we increase that by 25 percent the present cost would have to go by one-thrd.

Mr. BURKE. If you assume that the same amount of money expended per child would be required to incorporate the 25 percent which are not now in the public schools in public schools then that would be a correct analysis, but I am not sure that that necessarily follows.

Senator PELL. What is the present cost of education to the taxpayers of primary and general high school education?

Mr. BURKE. The expenditure on the part of local communities in the last fiscal year, fiscal year 1971 is about $95 million and the expenditure by the State in the form of State aid is about $65 million.

Senator PELL. Well that is 160 million and if you increase that by a third or a quarter it would be quite a load for the taxpayers.

Mr. BURKE. Yes, it would.

Senator PELL. The nonpublic schools already share in existing Federal programs available to them, as I mentioned in my opening statement, and we are putting in here about $4 or $5 million in Federal money, what portion of that is going to be nonpublic schools?

Mr. BURKE. I wish I could answer that question. I can provide it for you as useful data and I will make a note of this, I don't know the answer.

Senator PELL. It would be helpful because one of the ways we see of helping the nonpublic school, without violating the Constitutional barriers, is to try to expand the categorical programs that already are being taken advantage of. I realize this goes counter to the President's revenue-sharing concept which as you know calls for combining categorical programs. The only way we can help the nonpublic schools is by almost enlarging and continuing the variety of categorical programs. You have any reaction to this, any thought?

Mr. BURKE. Well I believe there is no categorical answer because what may be useful for certain purpose is disfunctional for other purposes and I can well conceive the need to save the taxpayers money and improve education and at the same time I concede that we need some program in order to get over the very difficult hump that we have in education today.

Senator PELL. Do you have any particular words of advice to this committee as to drafting the laws and as to how we can help the private schools, the nonpublic schools?

Mr. **Burke**. Well, I think there is no particular words of wisdom that we would engrave in granite, but I think there are some extraordinarily intelligent and ingenious people who have put long hours on this program and compiled a great deal of data that is available in research and I will be glad to make it available to your committee. We have some people working on this now. The only thing I would urge, and I am sure it is not really necessary, but as a final remark please keep in mind that it's the lives of the children that are at stake here and not a particular system of education per se.

Senator **Pell**. Thank you really very much, Dr. Burke, for being with us and as I said you have a mamouth job, the only man in the United States with such responsibility.

Mr. **Burke**. Thank you very much, Senator Pell.

Senator **Pell**. Our next speaker is Representative Robert McKenna, chairman of the Subcommittee on Education of the House of Representatives of the State of Rhode Island. Bob is a very old friend who was with me in my office in Washington as a volunteer worker for several years. I look forward to his testimony very much. I know that he has strong views on this subject and I look forward to hearing from him.

STATEMENT OF REPRESENTATIVE ROBERT McKENNA, CHAIRMAN OF THE SUBCOMMITTEE ON EDUCATION OF THE HOUSE OF REPRESENTATIVES FOR THE STATE OF RHODE ISLAND

Mr. **McKenna**. Thank you very much, Senator. At the very outset, I should like to commend you for your initiative in holding these hearings on the question of Federal aid to students and parents of students attending nopublic schools. It is most appropriate that these hearings should be held in Rhode Island, since as Dr. Henry Brickel noted in his 1969 study of this question, "Rhode Island is the most nonpublic State in the Nation."

As is clear to anyone familiar with the facts, any trends advice to nonpublic education in the Nation will have a particularly negative effect on the educational situation here in Rhode Island. Indeed, the impact both educationally and financially has already been extensive.

In our own city of Newport, the closing of St. Catherine's Academy and the elimination this year of all but the senior class at De LaSalle Academy has been major factors in causing Rogers High School, Newport's public high school, to go on double sessions. Also, thousands of additional local tax dollars have had to be raised due to these high school closings and to the falling off of local nonpublic elementary school enrollment.

On a statewide basis the fiscal impact has been of a crisis character. Only a short time ago, almost 50,000 students were enrolled in nonpublic schools in Rhode Island. This represented approximately 30 percent of all Rhode Island schoolchildren. Today the number is only about 35,000 which is approximately 20 percent of the total. Thus, we have lost approximately 15,000 in absolute numbers. At the 1970–71 rate of $845 per student the total tax cost to support these former nonpublic students is in the range of 12 to 13 million.

To look at this in another way, this is equal to about one-fifth of the $68,800,000 in revenue anticipated in the 1972 fiscal year from the new Rhode Island income tax. Surely, if any evidence is needed as to the adverse fiscal impact of the losses to date in nonpublic enrollment, these figures supply it. If it were not for the fact that many students still remain in nonpublic schools, the additional tax cost would be in the range of $25 million. Thus, the cost of absorbing all present and former nonpublic students would be equal to more than half of all the anticipated revenue from the Rhode Island income tax. It is, I think, fair to say, that the failure for whatever reasons, to resolve the problems besetting nonpublic education in Rhode Island has been a major factor in the constant increase in the need for greater and greater tax revenues and new types of taxes.

It is generally agreed that the people of Rhode Island feel that they cannot reasonably be asked to assume ever greater tax burdens. Some help must be given by the Federal Government. I am fully cognizant of the difficulties that you face both in the Congress and without it in attempting to resolve the question. Certain of the recent decisions of the U.S. Supreme Court, if they are allowed to stand, appear to make the task an even more difficult one. However, the educational and fiscal needs of Rhode Island and the Nation are so crucial at this point that, in my judgment, action must be taken, even bold action which perhaps in calmer times would not be warranted.

It is also evident that the extent and complexity of the problem does not allow a single, simple solution. Therefore, the suggestion I shall offer is at best only a partial answer, but even a partial solution should be welcome.

As a first step, I would urge that the tax credit approach which has been suggested for higher education be expanded to all levels. Regretably, the tax credit portions of the recent Tax Reform Act were lost in the Senate-House conference. They should be advanced again. As a start, a tax credit of up to $1,000 per student should be given against an individual's Federal Income Tax liability. This should also provide a grant in those individual cases where the Federal tax liability is less than the allowable credit. This method will have the advantage of allowing a greater freedom for parents and students to select the education best suited to the needs. It should be equally applicable to elementary, secondary and higher education, both public and nonpublic. Thus, students faced with rising tuition costs at schools such as the University of Rhode Island, as well as those attending various nonpublic schools and colleges, would benefit. This would also indirectly relieve the State of some of its burdens of supporting those educational institutions which charge a fee less than the amount of the credit.

The last matter upon which I should like to comment is the question of the U.S. Supreme Court's role in all this. As every student of the Court knows, the Justices of the Court are human as are we all and they are influenced by many factors other than the text of the Constitution and the statutes involved in a given case at bar. There have been many instances of the Court's reversing its previous decision. We need only recall the Flag Salute cases, for example, *Minersvill School*

District v. *Gobitis* (1940), which was explicitly reversed by *West Virginia State Board of Education* v. *Barnette* (1943) and the released time cases of *McCollum* v. *Board of Education* (1948) which for all practical purposes was reversed in *Zorach* v. *Clauson* (1952), as was quite clear to the discenting Justices. Indeed, in the view of the *Waltz* case which was allowed special tax treatment for specifically religious purposes, it may well be that the Court will approve the approach I have suggested.

Yet, if in the judgment of the Congress there should be any serious doubt regarding the Court's policy output in this area, the Congress has the power to defend its own view of what is both constitutionally permissible and demanded by the felt needs of the citizens of our State and Nation.

Seldom has Congress, or either House alone, used the full extent of its coordinate power to judge the constitutionality of its own acts. However, Congress does have this right, as it exercised in relation to the *Ex parte McCardle* case in 1868 when it removed the Supreme Court's Appellate jurisdiction relating to the Reconstruction Acts. On this occasion Chief Justice Chase asked differentially:

> What, then, is the effect of the repealing act? We cannot doubt as to this. Without jurisdiction the Court cannot proceed at all in any cause. Jurisdiction is the power to dictate the law, when it ceases to exist, the only function remaining to the Court is that of announcing the fact and dismissing the cause. (7 Wallace 506, 514: 1868).

Thus, the final authority and responsibility rests with the Congress as the representative of the sovereign people of our Nation. We should determine the will of the people in this most crucial matter and then see to its implimentation. I want to thank you very much for your interest.

Senator **Pell**. Thank you. Your basic support would go to the tax credit approach?

Mr. **McKenna**. From a constitutional standpoint and from a policy standpoint I think it is highly desirable in that it provides great diversity and also a very tight control from an accounting standpoint, since this all funnels through the IRS where you can request a claim on tax credit at tax time and in my judgment it is a rather simple one to operate.

Senator **Pell**. What about the argument that the tax credit approach would help only the larger income families, middle and smaller income families some of whom because of the size of the family pay no income tax would not benefit at all from this?

Mr. **McKenna**. Well in those cases where a tax liability is less than the allowable credit then the Government should give him a refund in effect or a grant.

Senator **Pell**. What would happen in that case when the credit involved would more than exceed the tax?

Mr. **McKenna**. With the student in high education there would be a grant as opposed to the tax credit which would work simply where he would fill his Federal income tax out instead of getting a tax credit against his owing taxes he would simply get in effect a credit or a refund even though he hadn't paid the money and he would still in effect get a grant.

Senator PELL. This refund or grant would be used by the parent for his child's education?

Mr. MCKENNA. Well he would have to verify this as he verifies anything else he puts down on his Internal Revenue form. I think the tax credit approach is particularly desirable in that we would have just one more line added to the 1040 form.

Senator PELL. I know that one of the solutions that has been suggested is the voucher approach, it has actually been tried out in Massachusetts as the Commissioner said. I believe it is also being conducted in a west coast area. However, the tax credit approach which you are suggesting has never been enlarged on or discussed seriously, how do you account for that?

Mr. MCKENNA. I think possibly one approach is direct fashion since the usual thing where the Federal Government has funded something by giving money to individuals or various institutions and that was the initial approach. Of course, the Supreme Court decisions which I do not think are necessarily going to stand forever and I have given you a few instances to support this. I think if I am not mistaken in Minnesota there is a tax credit law which has been enacted I think we are all aware of the very fine system of government where we try something in one or two States and reasonably implement it at the Federal level it does not have to be lost.

Senator PELL. You say that the tax credit should be for the full amount of the cost of education?

Mr. MCKENNA. There should be a reasonable limit and I suggested a thousand dollars. I didn't want to present to you a specific bill today but I would suggest possibly a 1-to-1 basis for tuition after the first 500 and from that point perhaps 50 cents for every dollar actually expended for tuition, 50 cents to be charged to the tax credit. I don't think the Federal Government should be subsidizing the entire cost of private funds. If there is no private fund input, I think most of the drive of the private schools would be lost, because I think we should still encourage this in certain areas. I don't think as things stand now that private funds alone will be able to maintain a substantial nonpublic education in this system.

Senator PELL. We are going to have a witness later who will be able to speak for himself on independent schools. What about the boarding schools where youngsters come out of our own State, would those parents be able to take advantage of the tax credit?

Mr. MCKENNA. It would be one where the parent would simply declare on the Federal income tax where the children attended and it would not make any difference. From the view of the State tax program or State aid programs there are certain problems out of the state student on the Federal level but I think it is extremely small matter if it is a problem at all.

Senator PELL. Do you have any rough idea what the cost would be to the Federal Government for the program?

Mr. MCKENNA. Well, I think if we assume there are about 6 million students attending nonpublic schools in this country and if you were to assume about $800 each then multiply it, it would be several billion dollars. I think the alternative cost an additional tax to the State regrettably still comes from the property tax in many communities in

Rhode Island and is already beyond the point of reason to ask for an increase. I think there is some additional Federal funding at this area generally and I think it would be a useful way to do as was suggested, not only to those public institutions which do charge tuition such as the University of Rhode Island but would remove the burden from the State taxpayer.

Senator PELL. I also think you will find that the tax structure is going to be changed due to the cases presently in California and in Texas to the effect that each State has an obligation to equally educate its youngsters. I thank you very much for your idea.

Our next speaker is Father Edward Mullen, superintendent, department of education of the Catholic diocese of Providence who has probably the biggest load on his shoulders of any of the witnesses who will be coming forward today. I look forward to hearing your statement with great interest.

STATEMENT OF FATHER EDWARD MULLEN, SUPERINTENDENT, DEPARTMENT OF EDUCATION FOR THE CATHOLIC DIOCESE OF PROVIDENCE, R.I.

Reverend MULLEN. Let me begin by expressing my thanks to the subcommittee for holding this hearing in Rhode Island and for inviting me to testify. These actions indicate that the Senate of the United States is aware of the grave difficulties besetting all of private education and is concerned about them. This of itself is encouraging to those of us who grapple daily with these problems. It seems to me that the basic facts about the financial difficulties of private education, and particularly the Catholic sector, are by now sufficiently well known not to require extended treatment. Therefore, I shall omit extensive treatment of the financial difficulties of private schools including those in the Catholic sector and also the legal and constitutional issues involved and concern myself instead with an affirmative statement of the Catholic philosophy of education and the value of Catholic schools to the entire American community.

First, the rationale for Catholic schools. Why are we engaged in this enterprise which is so difficult and so expensive when most other church bodies seem well able to get along without schools? The historical reasons are well known, I think. When Catholics first began arriving in this country in large numbers in the early 19th century, they found the religious climate inhospitable. Protestantism was dominant and militant. Part of the Americanization process was conceived as a means of freeing these immigrants from their "Popish superstitions." The public schools were just getting well underway at the time and they were the prime instrument of Americanization, including the de-Romanization aspect. The public schools were, and for a long time continued to be, in effect, Protestant parochial schools. I am told by some of my colleagues in the superintendency that this condition is not entirely dead yet in some parts of the country. However, it has been dead for generations in Rhode Island, as well all know. In this situation the church believed it faced a crisis. By 1884, at the Third Council of Baltimore, the assembled hierarchy established the policy which guided Catholic education for decades after. It decreed that within

2 years every parish should have a parochial school and that every child in the parish should attend the school. "Every Catholic child in a Catholic school" is still the officially expressed aim of the educational effort of the American Catholic Church. It is only within the last 10 years that we have admitted that we will never achieve this goal. Even so, we haven't yet to formulate, officially, an alternative to it.

The reason for this goal was, very simply, the preservation of the faith among the immigrants and their children. This concern was so overwhelming that academic considerations came in a distant second. This was the justification for practices that any educator would hold in abomination—enormous class sizes, untrained teachers, and often enough, terrible buildings. If academic quality had to be sacrificed for the preservation of the faith, it was indeed regretable, but nothing to get a guilty conscience about.

The parochial school was thus conceived as sort of a counterpublic school; it was never thought of as a private school. It shared the public school aspiration to educate all of the children of all of the church's people. Because it was universal, like the public school, it had to be, like the public school, compulsory. Attendance at a parochial school was a matter of church law. Only the most serious reasons could justify permission to attend the public schools, if a Catholic school were available. Of course, the church's means of compulsion were not the same as those available to the State, but the means at hand were fully used. Because the parochial school was thought of as universal and compulsory, it had to be free, again like the public schools. There were, of course, always small charges for school supplies of various kinds, but the thought of tuition was anathema because it would rule out the children of the poor.

After World War II, as we have seen, there was a great expansion of parochial school education, both in Rhode Island and throughout the country. At least here in Rhode Island this cannot be explained by a passionate desire to preserve the faith because by then no one in his right mind could conceive the public schools as being any danger to any one's faith. What then was the reason for the continued popularity of Catholic education.

The argument is both negative and positive. On the negative side the argument runs that the absence of religion from the public school curriculum in itself is a fatal defect, even though religion is not attacked and no one's faith is in any way endangered. The absence of religion does not mean that the public schools say nothing about it; it means they say it is not important. Everything of consequence in a child's life occurs in one way or another in the school environment. Schooltime is a child's business time. What occurs there is serious. Anything that does not occur there, particularly if it is excluded by some sort of policy, is obviously not important. Also, the absence of religion from the school curriculum means that it has no integrating factor. An education without religion is like a building without a foundation. Religion fulfills two rolls in the school environment, both indispensable. It is a subject among other subjects and it provides the key which enables the child to integrate everything that he learns in school and out of school into one coherent pattern of values, attitudes, and behavior.

With religion absent from the school, the child will either have no integrating factor in his education, or at best, an inadequate one, and in any case, he will miss the one subject which is more important than any other subject in the entire curriculum, both for his cultural enrichment and for his personal guidance. With religion in the curriculum, the child does, of course, have this integrating factor which enables him to make sense of his environment. He is also introduced into the cultural heritage of the human race in the field of religion through an increasing knowledge of the doctrines, practices, traditions, and history of his own church. With these two things going for him, the child is better able to grapple with secular aspects of schooling. He should be more secure, happier, and better motivated to do his schoolwork. Thus, the religiously oriented school still has its own positive reason for being.

The rationale is powerfully attractive to people who have lost all fear of their children losing their faith in the public schools. By way of a concrete example of how this theory becomes operative in an individual school. I include in this document as appendix A the statement of philosophy recently adopted by the Cranston-Johnston Regional Catholic School.

As the second point, Catholic schools are an asset to the community.

They are obviously a great asset to the church. It may not be quite so obvious that they are also a great asset to the community. The following considerations are offered to establish the truth of this proposition. The first consideration is very easy to grasp. It is the financial impact of Catholic schools on this community. Due to the establishment of the National Data Bank by the NCEA (National Catholic Education Association), it is now possible to offer reliable figures on the cost of Catholic schools for the school year 1970–71. Appendix B contains a selection of the most pertinent statistics. We can summarize by saying that the cash outlay for Catholic schools in the State of Rhode Island in that year was $8,385,568. In addition there is the item of contributed services. That is to say the contribution that religious brothers and sisters make to the schools by receiving only a subsistence allowance rather than a salary amounted to $3,595,196. The total contribution of cash and services, therefore, came to $11,980,782. It is to be noted that this figure is extremely low because the contributed services are figured in a very conservative manner. They are figured as the difference between the subsistence allowance of the religious teacher and the salary actually received in that school by a lay teacher. No allowance is made for the fact that the great majority of our lay teachers are also offering contributed services in that they are accepting salaries which are considerably below what they could receive if they were actually teaching in public schools. The contributed services figure also does not even attempt to calculate the thousands of hours of administrative time given annually by pastors to the maintenance of their schools. This amount of money was used to educate 33,259 pupils for an average per pupil cost of $360.23.

The cost at the elementary level was $181.72; on the high school level it was $504.80. If these 33,000 pupils had had to be educated in the public schools, they would have cost the taxpayers approximately $23 million, estimating the average public school per pupil cost for that year at $700 which I heard this morning is quite low.

A voluntary contribution of this magnitude to a public service obligation of government is something for which the community, and especially the taxpayers, should be profoundly grateful. It would seem to be wise public policy to arrange matters in such a way that this private contribution to the field of education continues to be made.

Catholic schools contribute to the community also by developing good citizens. Last year when Providence College conducted a fund raising campaign, it was pointed out that an astonishing percentage of the doctors and lawyers in Rhode Island are Providence College men. The majority of these men also received all or part of their elementary and secondary education in Catholic schools. We could run down the roster of any profession or prominent group of people in this State and find that an astonishing percentage of them are LaSalle men or St. Raphael men or De LaSalle men. It seems that in Central Falls, Sacred Heart are everywhere, Mount St. Charles graduates in Woonsocket influence all aspects of the life of that city. The same could be said for the girls' high schools. In addition, 90 percent of graduates from Catholic high schools have always attended Catholic elementary schools as well. The record of military service, political involvement, and civic enterprise that is undertaken by Catholic school graduates is indeed impressive.

There was a time when it was common to charge that Catholic schools were a bad influence on the community because they were "divisive." This charge was refuted forever, however, by the Greeley-Rossi study done in 1966. Greeley and Rossi established that Catholic school graduates were, if anything, more community minded and less prejudiced than other segments of the American population. The record shows that Catholic schools have done an excellent job of turning out loyal and patriotic American citizens.

Catholic schools are an asset to the community in their very distinctiveness. The fact that our philosophy of education is so clearly marked off from that of the public schools and also that of the independent private schools means that we contribute an important element of diversity to the American educational scene. Pluralism is an important value in the American culture and one which has been celebrated a great deal in recent years. The philosophy of education outlined above clearly establishes that Catholic schools make a definite contribution to pluralism of the American education scene.

It is common knowledge that there is much turmoil in American public education. Among the causes for the turmoil is the great difficulty that a massive, almost monolithic public school structure has in dealing with students from many different subcultures. This difficulty is particularly acute with students from minority groups. In response to this situation, there have been numerous attempts all over the country to somehow decentralize public school administration. This is not merely an administrative convenience but also an attempt to "open up" the public schools to alternative methods of learning and to give recognition to the cultural values of many different groups. A generation ago the public schools were praised for turning out the (homogenized) American; today they are blamed for the very same thing. In the city of Providence for the last several years a great deal of effort has gone into the attempt to make the Providence public schools respond to these newly felt needs.

In a context such as this the alternative offered by a value centered education based on Christian principles should be more attractive than ever. It is one more option available to people in a day when variety of options seems to be an ever-increasing demand. Lastly, Catholic schools are an asset to the community in terms of the quality of the education offered. Educational quality is usually measured in two ways—by input and by performance. Measurement of input means measurement of the quality of the resources that go into a school, such as academic preparation of teachers, number of teachers in ratio to the number of students, age and experience of teachers, and the like. Performance is usually measured by how well students do on certain standardized tests on which there are national or State norms, and by the percentage of students who go on to higher education.

In the past, Catholic schools have often been criticized for alleged inadequacy in some of the educational inputs, especially a too large pupil-teacher ratio and inadequate preparation of the teachers. As for the pupil-teacher ratio, in the school year 1970–71, it stood at 24 to 1 overall—16 to 1 on the high school level and 28 to 1 at the elementary level. These figures are down in each case by two from the figures for the year 1968–69 reported by Dr. Henry M. Brickell in his study of nonpublic education in Rhode Island published in 1969.

Academic preparation of teachers also shows steady improvement. In 1969, Dr. Brickell reported that 40 percent of our lay teachers had less than a bachelor's degree. In 1971, the figure stood at only 24.8 percent. This is still much too high but an advance of over 15 percentage points in 2 years' time seems spectacular to me. It is also worth noting that 13.7 percent of our teachers in the elementary schools have masters degrees and 36.6 percent of our teachers at the high school level have masters degrees. At the high school level all of our teachers have bachelor's degrees. The favorable age and experience distribution of our teachers reported by Dr. Brickell continues through 1971 with no significant change. In terms of significant indicators of educational input, therefore, rapid improvement is being made every year in spite of the very serious financial constraints under which we operate.

Measuring educational quality from the other end, performance, also gives us an encouraging picture. Of the Catholic high school graduates in June of 1971, 60 percent of them entered 4-year colleges, 16.6 percent entered community colleges, 9.5 percent took other postsecondary training, and 1.2 percent entered the Armed Forces. Only 12.7 percent failed to go on to some form of continued education; 97 percent of those who applied for some form of higher education were accepted. Although Catholic high schools enroll only 10 percent of the State's high school population 20 percent of the Rhode Island State scholarships went to Catholic school graduates. Finally, the dropout rate in Catholic high schools is only 7.4 percent. These figures indicate, I think, that the performance of the Catholic secondary schools in Rhode Island is outstanding.

For the last several years the State testing program has given us information on all students in the State for kindergarten, grade 4 and grade 8. By law these results are confidential and therefore can only be discussed in general terms. However, I can say that my staff and I have analyzed the returns and we are quite satisfied with the results that indicate that Catholic elementary school children in Rhode Island are performing at, or slightly above expectations in all of the basic skills tested. In making this statement, I am taking into consideration such variables as slight differences in average of IQ level, comparative range of IQ's tested, and curriculum differences. Analysis of the test results establishes that our pupils are learning at just about the same rate as we expect them to. To put it another way, the schools are performing their function in solidly competent fashion.

I think this evidence leads to the conclusion that the Catholic schools are truly an asset to the community, the city, the State, and the Nation. The continued good health of these schools is, therefore, a matter for legitimate concern of every citizen, Catholic and non-Catholic alike. Thank you, Senator.

Senator **Pell**. Thank you, Father Mullen.

The National Advisory Council on Education of Disadvantaged Children made a report that said nonpublic school children were not receiving their fair share of title I funds. Do you feel that children in this State and in the neighboring States of Massachusetts and Connecticut are receiving their proportionate share of ESEA title I funds as well as the proportionate share of the funds of the other ESEA titles?

Reverend **Mullen**. I think in the Nation it is true that we are not getting our fair share and it is much less true in Rhode Island than it is nationally. I think we are doing considerably better in that respect in regard to title I than the Nation as a whole. I don't think we are getting really 100 percent of what we are intended to but I think we are doing pretty well. I don't have any real major complaints on that score.

Senator **Pell**. Of the four and a half million dollars of Federal aid to education that comes into Rhode Island for schools, what portion of that goes into the nonpublic school? Do you have any idea?

Reverend **Mullen**. We cannot really measure it in terms of dollars and cents because we don't get it in terms of dollars, we get it in terms of services. We have so many people that come in to serve our schools and they are being paid by the public schools and whatnot. We get their services so as to the dollar amount perhaps the State could tell you. I would have no idea.

Senator **Pell**. From the viewpoint of being able to help the schools, do you think that there is much that we can do within the present categorical program framework that would substantially help in the nonpublic schools?

Reverend **Mullen**. Yes; I do, and I appreciate your interest in this categorical approach.

Senator **Pell**. It is just that we are trying to figure how to help the children and still to avoid the constitutional problem.

Reverend **Mullen**. I guess none of us are really wedded to any approach at the present time but the categorical approach I think does skirt the legal issue about as well as anything and does afford potentiality for real help. The schools which have received major title I help so far would be St. Michael's, St. Mary's, and a few others and this has resulted in significant educational improvement for the children, no question about it. Further development along those lines such as provisions badly needed in many schools not only title I type schools, guidance personnel, pupil services, and title II even now is a terribly expensive title to parochial schools. When title II started, our elementary school libraries were really bare and now with title II the great majority of our elementary schools in this State have good libraries. As to title III projects we are discovering things a few years ago, and the great thing is that since it is gone into smaller programs of many kinds we have participated rather spottily in title III. There were many grants we were getting and our good participation in that and has been helpful. Pupil personnel services such as guidance, testing, psychological help for the disturbed are good programs and the health programs we get all of this to some extent now from the State and all of these things can be improved and can help a great deal. They will help in the sense that they really will improve the service that we can give the children but they will not help a great deal in the sense that they will solve our basic financial problems. We still have to meet salaries for the classroom teachers which is really difficult but the help on the quality of the service to the children is certainly a good program.

Senator Pell. If the categorical programs were fully funded and you were able to participate to the maximum, how much of the load would that carry of the parochial school costs, a quarter, half, three-quarters?

Reverend Mullen. It doesn't affect our cost at all, Senator. What these categorical programs do is give us things that we did not have before. They give us services that we didn't have and couldn't afford before so what happens is the children get better services and they grow, but they really don't hinge on the basic school operation at all and the basic operations still have to be funded and still have to carry on and the cost is not really affected.

Senator Pell. Yet, nevertheless since you need books, equipment, and a variety of services that these programs do provide, then they must carry a part of the cost.

Reverend Mullen. Well in most cases, these programs with the Federal regulations regarding the equipment and books and whatnot that go into title I programs can only be used for the children in the school that qualifies for the title I program and they can't be used for the general school body, you can't make them an intrical part of the curriculum on title II program where the library books and the filmstrips and all this kind of thing that has helped the general study and integrate it into the school program. So there are ways I guess that title I don't do it specifically but I guess other titles in other ways can be conceived which would give the kind of help you are aiming at.

Senator Pell. Do you have a view with regard to shared time? Do you think this could be developed more than it is?

Reverend Mullen. The kind of shared time that we were talking about for the last 10 years or so where a student spends a couple of hours a week or 2 or 3 hours a day in a public school and then the rest of his time in a parochial school I think that idea has been around long enough to make it clear that it really isn't very practical in most instances, because the school buildings aren't located close together and then there is their programs and size and this sort of thing, however, I heard mentioned a couple of months ago a rather interesting varient on the theory and I have not really had time to pursue it. The idea that maybe what should be done in the public school is part of the alternative learning thing that they go into now and are opening up and giving public schoolchildren one of the options and this would be two or three times in the course of the 12 years that they are in the public school to take a year out of the public school and spend it in a Catholic school and get an intensive experience in the Catholic school environment for a year and then go back to the public school and it would be a credit as part of their public school experience. That I think merits some thought.

Senator PELL. I believe Dr. Burke had the idea as to the plight of nonpublic schools about more participation and more cooperation with public schools and perhaps along this line do you see any other ways of cooperation with public schools?

Reverend MULLEN. Well, shared time yes and many of these services like transportation, of course, has been I think, the major public service that the State has provided for many years for our schools and it has been a great boon and it could still be expanded.

Senator PELL. Well, as to busing. We don't realize how many of our children are bused in the normal course of events, yet, if used in anything outside of moderation then it sets everybody's back up, but moderately it has been successful.

Reverend MULLEN. The provision by the State of transportation to Catholic schools for a number of years has really been a great benefit to us. If the State ever does set up centers around the State for various services such as transportation and guidance and special education and things like that we would participate in them. I think they would be very, very helpful to us. I believe that something like this Sabbatical year concept that I just mentioned would be helpful. Possibly now we are talking about a 12-month school year if any of the public school districts go into that, possibly part of that 12 months could be spent in a Catholic school environment and things like that. I think the whole area of cooperation with the public school is a difficult area, it is a frustrating area as the experience with the original shared-time concept has proven, but nevertheless one that should not be given up and one that should be pursued.

Senator PELL. As you know, the public schools, universities, and colleges took much criticism about lack of efficiency in their operations. We have been trying to get system studies for more efficiency in their bookkeeping and accountability. Are you doing the same thing in the Roman Catholic system?

Reverend MULLEN. Yes; of course, and I think the figures I gave today establish the fact we are extremely efficient in our operations. We run these schools in a very, very frugal fashion. I think that the dollar cost that we have established here even when figuring in contributive services and figuring the full public school salaries still come out on a per pupil cost that is quite significantly below the public school costs. Possibly one of the reasons is that we don't get involved in a lot of bureaucratic things that consume so much time, system analysis, information gathering, central purchasing, and all this stuff sounds efficient and there is an awful lot of bureaucracy involved in having to do it. Sometimes we look back and we get a red face because we don't have sophisticated information to give people all at once, but when you balance all these things out we are educating 30,000 children and the central office staff has seven people, seven professionals. I would like to see what public school system can come anywhere close to that. We don't have central purchasing or anything else and when you add up this at the end in dollar figures it is the most frugal system in the State.

Senator PELL. How do you handle the problem of the youngsters' parents who want him or her to go to a parochial school but can't afford it?

Reverend MULLEN. That is getting to be more and more difficult every year. It used to be easy where the pastor would tell the principal to make a seat for him and that would be it. This is still, to a large extent, the way it is done where the parent just goes to the pastor and tells their problem and the pastor makes the arrangements. As the tuitions get higher and higher, however, parents get more and more reluctant to do this and for some reason which I can't follow the psychology the parents are getting more and more reluctant to ask the pastor to pick up the tab rather than admit that they can't afford the tuition and they just don't apply at all. This is really heartbreaking.

Senator PELL. As you know in the part of the State from which I come we have a particularly acute problem. In the last 12-month period three parochial high schools have been closed. It is quite a disaster. Thank you very much. I know I took a little longer with you on these questions but I think you have more to offer on the subject, you know it better than anybody else in the State and I appreciate very much your coming here.

Reverend MULLEN. Thank you very much, Senator.

Senator PELL. Our next speaker will be Mr. Hugh Campbell, president of Independent Schools Association of Rhode Island and headmaster of Rocky Hill School. I see you have a friend with you from Connecticut?

Mr. CAMPBELL. Yes, Mr. Farway from the Connecticut Association of Independent Schools and who would have more facts than I and I wonder if he could come and fill you in on those?

Senator PELL. This is a Federal hearing which is just being held here. We are interested in the problem anywhere in the United States so you may proceed.

STATEMENT OF HUGH CAMPBELL, PRESIDENT OF THE INDEPENDENT SCHOOL ASSOCIATION OF RHODE ISLAND AND HEADMASTER OF ROCKY HILL SCHOOL; ACCOMPANIED BY MASON FARWAY OF THE CONNECTICUT ASSOCIATION OF INDEPENDENT SCHOOLS

Mr. CAMPBELL. I would like to thank you for the invitation. I hope I can make a point for the independent schools which will indicate the diversity in the educational climate of the United States.

Senator PELL. I take it you speak for all the independent schools in the State?

Mr. CAMPBELL. I am the president of the Independent School Association numbering 14 schools.

Senator PELL. Including my alma mater St. George's for instance.

Mr. CAMPBELL. Yes; 11 are non-Catholic and three are Catholic.

(The following material was subsequently supplied for the record:)

INDEPENDENT SCHOOLS ASSOCIATION OF RHODE ISLAND - MEMBERS 1971-1972

Bay View Academy Sister Mary Marlene, RSM, Principal	3070 Pawtucket Ave., E. Prov. 02915	434-0113
Elmhurst Academy Sister Dorothy Murray, Headmistress	E. Main Rd., Portsmouth 02871	847-3080
Gordon School (The) Mr. Laurance P. Miller, Director	Maxfield Ave., E. Prov. 02914	434-3833
LaSalle Academy Bro. Timothy Rapa, Principal	612 Academy Ave., Prov. 02908	351-7750
Lincoln School (The) Miss Mary L. Schaffner, Headmistress	301 Butler Ave., Prov. 02906	331-9696
Moses Brown School Mr. Peter Mott, Headmaster	257 Hope St., Prov. 02906	831-7350
Newport School For Girls Mr. Sidney S. Gorham, Headmaster	Ruggles Ave., Newport 02898	847-1445
Portsmouth Abbey Mr. Peter H. E. Harris, Assoc. Headmaster	Cory's Lane, Portsmouth 02871	683-2000
Prov. Country Day School Mr. Evan R. West, Headmaster	2117 Pawtucket Ave., E. Prov. 02914	438-5170
Rocky Hill School Mr. Hugh D. Campbell, Headmaster	Ives Road, E. Greenwich 02818	884-9070
St. Andrew's School Mr. Stephen Waters, Headmaster	Federal Rd., Barrington 02806	246-1230
St. George's School Mr. Archer Harmon, Headmaster	Second Beach Rd., Middletown 02840	847-7565
St. Michael's School Mr. Mansfield Lyon, Headmaster	Rhode Island Ave., Newport 02840	846-1068
Mary C. Wheeler School Mr. Hugh A. Madden, Headmaster	216 Hope St., Providence 02906	421-8100

LIAISON WITH OTHER EDUCATIONAL ORGANIZATIONS (INDEPENDENT AND PUBLIC)

Mr. Ralph O. West, Dir. of Evaluation, Commission on Indep. Schools & Colleges
NEASC, 131 Middlesex Turnpike,
Burlington, Mass. 01803

Statistics

School	Enrollment	Black Students	Scholarships
Bayview	1,031	25	20
Elmhurst	250	13	40
Gordon	336	4	37
LaSalle	1,500	15	75
Lincoln	395	11	36
Moses Brown	672	22	92
Newport Sch. for Girls	80	2	16
Portsmouth Abbey	232	7	30
Prov. Ct. Day	264	3	39
Rocky Hill	175	4	21
St. Andrews	95	17	33
S. George's	279	20	90
St. Michaels	89	9	33
Mary C. Wheeler	504	17	93
	5,902	169	655

Mr. CAMPBELL. In our association we have many varieties of schools and, Senator, the report of Henry Brickell is the most helpful piece of information to describe, but I would like to show you some of the diversity by just mentioning some of the different factors of these schools. He wrote the study in 1968–69 and indicated that there were wide varieties of size but most of our schools are small in the area of 200 students. The boys and girls there have an average IQ of 105 whereas the public schools in the area of 120. The instructional methods vary greatly. There are structured schools and there are those that are very open, using all the freedom of an open school and doing a great deal of experimentation, new oriented courses, and working hard in the social service area. Dr. Brickell said that the small classes are the most distinct characteristic of the independent school and teaching methods are not always adapted to that feature. There is more likely to be project activity, group discussion, and individual assigned or even individually selected work in the elementary school. The individual pupil is likely to stand out as he personally has an opportunity to be more able to get to know his teachers in greater detail and will constitute a larger part of the environment, will command a larger portion of the teacher's time. It is perhaps not surprising with that kind of student body 98 percent went on to college in 1968. Some of the characteristics I think have to touch on the following topics. We are very concerned with the quality of education, demanding courses at college level work for junior and senior year. This is all possible by small classes, talent and interest of the students and faculty, and is the most favorable situation in which to learn. I think we have a second characteristic which has a great deal of concern in education and that is more individualized and today seems more human and is possible in the larger public school classes.

Individualized attention is a concept that we are always working at and have been for a long time. You see it not only in classes but in the varieties of extracurricular activities and the many different facets of the school life where students and faculty get to know each other as people. There is a feeling of community in the independent school which is possible through small numbers. Third, we are committed to value education, again a concept that the students and faculties are working with in all the various aspects of the school. Sheer creative teaching is possible and most heartily encouraged. There is the freedom to experiment which is not always possible in schools which are tied into a text which has been purchased and must last for several years. As a result of these opportunities we have seen on a national level important practices such as the advance placement project. To a great degree we have the foreign language teaching and the independent study project where the impetus I feel has come from the idependent school as much as anybody.

Last, I think these schools are different because of the composition of the student body, the enrollment is selective and it is trying to locate and to profit from these schools. This means that there is interestingly enough a spread of talent sometimes larger than that you would find in the public schools. Certainly your alma mater, a boarding school has a wider geographic range than any public school. There is also a great concern to have a wide gamut of social and economic range as wide as possible and certainly this means with scholarship help. Eight percent of our student body is on scholarship. The kind of children coming to these schools are coming from families very much concerned with education, so concerned that they are willing to pay twice, once through taxes and once through tuition. This kind of a commitment certainly guarantees their interest and their support of the school. Our schools have played a role in the community in the past and will continue to do so. The facilities are often used, too, by a variety of different neighborhood groups. There are little leaguers, the tennis buffs, and the neighborhood kids that come over to play on Sunday afternoon and all of the music and artistic performances are generally open to the public, the public is welcome. In the summer the facilities are used for camps and schools. Once with the title II the Moses Brown Camp ran for 100 or 150 intercity children. The students themselves are very interested in learning more about the community.

In the last 2 years we have had an urban education program, a course offered to four schools which is teaching them about urban education but also affording an opportunity for them to tutor public schoolchildren for 1 to 3 hours a week. The many independent projects take them into the public area where they have been able to do all sorts of different tasks. In order to serve the community more completely we would very much like to increase our scholarship operations.

There is in Rhode Island's Operation Outreach an agency which is 3 years old for underpriviledged children who are attending the independent schools. There are now 21 of them this year and many more that did not come through this channel. It seems important to us that there be diversity in American education. While the number of children we serve, 3,500 is small, 2 percent of the children going to school in the State and yet nevertheless elementary diversity is important to the educational system in the State. The Supreme Court in 1925 affirmed the importance of diversity in education in the *Oregon* v. *The Society of Sisters*. President Nixon in 1968 said:

> In my view it would be the tragedy of the first magnitude if tax supported state schools were to drive private institutions out of existence.

The question of assuring its continuation is one that you are addressing yourself to and this has been receiving much thought from all of us. We are concerned to know what we can do about the rising costs. Our board of trustees has long been considered successful in operating as a nonprivate institution. I am sure that in any way the Government can help our schools is important and to have a quality control and know what is worthy of support. Our schools are members of the New England Association of Schools and Colleges and this means that they are devaluated, and there is a new instrument that this group has developed which is focusing on the classroom practices rather than on the facts and numbers of elements in the schools. We have, therefore, somewhat of a self-policing organization in the New England Association of Schools and Colleges. Of course, we are approved by the department of education in Rhode Island to operate. We have a very important quality control that few other schools have which is the expectation of the parents. If they are not convinced that what we are doing is worthwhile they have many other ways of spending their money and this is a constant control over what we are doing. Our schools live on 85 percent of their revenue which comes from tuition and the other 15 percent comes from charitable contributions and on very select cases endowment, but the endowments in 1967–68 amounted to $90 per pupil for those schools that were fortunate enough to have them. The Federal programs I will leave to Mr. Farway to describe. They have been of modest help to us. We have also received help from the local communities and this past year the busing arrangements have been of considerable financial benefit to us, but while the programs have existed the total impact has not been as large as it might have been.

In order to help us to meet deficit operations further aid programs I think will have to be devised and we would request your consideration for the programs that Dr. Burke and Representative McKenna mentioned in the form of tax credit voucher systems and possible grants for students and with that hope that these programs will be possible in some way, we would submit that this will maintain an element of diversity, otherwise it is only a question of time for it to disappear. Thank you, Senator.

Senator PELL. Thank you very much, Mr. Campbell.

(The prepared statement of Mr. Campbell follows:)

STATEMENT OF HUGH CAMPBELL, PRESIDENT, INDEPENDENT SCHOOLS ASSOCIATION OF RHODE ISLAND BEFORE THE SENATE SUB-COMMITTEE ON EDUCATION, January 18, 1972

Introduction I would like to explain as best I can what the private or independent schools are in Rhode Island, the kind of education they offer, the role they play in the community, the importance of diversity in American education and the financial situation of these schools. Due to the diversity of these schools this is not an easy task. It has been facilitated however, by the report on Nonpublic Education in Rhode Island: Alternatives for the Future by Henry M. Brickell in July 1969, the most recent comprehensive report on nonpublic education in Rhode Island. I am Hugh Campbell, Headmaster of Rocky Hill School in East Greenwich and President of the Independent Schools Association of Rhode Island (ISARI).

Description In our association there are fourteen non-profit schools, owned by independent, self-perpetuating boards of trustees. Eleven are non-catholic, three are catholic. Many of these are elementary schools, some are high schools exclusively and four encompass the span of Kindergarten to grade twelve. Most of the schools have fewer than 200 students; only one has a student population of over 500. In 1968-69 all of the independent schools in Rhode Island enrolled 3588 students or about 2% of the total students enrolled in the state. Boys and girls are equally represented with an average I.Q. of about 120 in comparison with the public school I.Q. of 105. The class size is approximately half that of the public schools with a pupil/teacher ratio of 9/1.

Instructional methods vary from those of the traditional classroom to the freedom of an open school. The British elementary school system is used in some schools, others believe in a disciplined, structured class. Some schools have emphasized the academically able, others have given a new start in life to boys who needed it. Some have modular schedules, much freedom, newly oriented courses, others have encouraged social service. Dr. Brickell has said in his report,

> "Small classes are the most distinguishing characteristic of the independent school. Teaching methods are often, though not always, adapted to that feature. There is more likely to be project activity, group discussion, and individually assigned or even individually selected work in the elementary schools. High school classrooms are less likely to resound with lectures by faculty or plodding recitations by pupils though these are not entirely absent from independent school campuses.
>
> The individual pupil is more likely to stand out as a personality, as an opportunity, or as a problem than in the larger classes and larger enrollments of the public schools. The pupil will be better known to more teachers. He will constitute a larger part of the environment and will command a larger portion of teacher's time. His classwork, his studio work, and his homework are more likely to be designed for him alone, although most of his assignments and his instruction are likely to occur in the context of a group, just as they would in the public schools. He is much more likely to be singled out for special tutoring than in the public schools. If he is a boarding pupil, he will have considerably more contact with faculty members than he would in a public school setting. In addition, he will have incomparably more assigned study time under some sort of supervision, chiefly in the evenings."[1]

Independent school's graduates are college bound. 98% went to college in June 1968.[2] The schools function with the approval of the state's Department of Education. All but one of the secondary schools are members of the New England Association of Schools and Colleges (NEASC).

Characteristics of Independent School Education First, the private schools have prided themselves on offering a quality education for able students. This means demanding courses, culminating in a college level course in the junior or senior year made possible by small classes, talent and interest of the students and faculty and the most favorable circumstances in which to learn.

Secondly, small classes and a low student/teacher ratio have enabled private schools to offer a more individualized education and often a more humane education than is possible in the larger public school classes. Long the watchword of private school educators, individualized attention has recently enjoyed an enormous vogue as the detrimental effects of belonginglessness and alienation have grown in the larger schools.[3] Athletics and extra-curricular opportunities are provided and expected of all students. Not only does this open up and develop student capabilities, rewards success outside of the academic domain and increases faculty-student contacts, it also intensifies the feeling of community. In our day of impersonalization this aspect of the private school is all the more rare.

Thirdly, private schools are committed to value education. In some cases this refers to religious classes or observances or to a commitment to a moral code and training that can best be taught by example. The private school community of students, faculty, administration, parents and graduates is selected for and committed to develop this sense of values.

Fourthly, the private schools have a unique opportunity for creative teaching. This comes from their freedom to respond to students and situations, the academic challenge of able students, the flexibility of small numbers and the commitment to individualized attention. Through the nation's private schools this has nurtured independent study projects, the Advanced Placement program and to a lesser degree the audio-lingual approach to foreign language teaching, to cite only a few.

Finally, the composition of the student body is different than that of the public schools because of its selectivity. Within the gamut of a college preparatory program there is a range of students that varies considerably in their geographic, social and even economic backgrounds. The geographic mix of a boarding school far exceeds that of public schools. It is not unlikely for a public school student who attends a private day school to find a greater diversity of student background than he would naturally get to know in the college track of a public high school. Contrary to belief, many private school parents make enormous sacrifices to enable their children to attend. It is only through an intense conviction that this kind of an education is worth it that parents are willing to pay for their children's education twice: once through taxes and once through tuition. This fact explains the parent's commitment, interest and desire to support the school.

Role in the Community Private schools have always played and will continue to play a role in the community where they are located. Their outdoor facilities have been used by Little Leaguers, joggers, tennis buffs, and "the neighborhood kids". To the various music and artistic performances the public is genuinely welcome in most schools. In the summer the facilities of our schools are used for private camps and summer schools that serve a different group of children. One such opportunity was the Title III summer enrichment program for children of the inner city run at Moses Brown School for 150 children in 1967, 68 and 69.

Not only have the facilities been used by the community but ISARI students have become increasingly involved in programs beyond their own campuses. Starting in 1969-70, 67 students from four schools in grades 10-12 took a course in Urban Education under the auspices of Lippitt Hill Tutorial in which they studied urban education and tutored elementary students one to three hours a week in the local public schools. Seniors on their independent projects have frequently become directly involved as tutors, student aids or planners of learning opportunities outside of their own schools.

In 1967-68, 8% of the enrollment of ISARI schools were on scholarship. [4] "Operation Outreach", an agency locating culturally or economically deprived youngsters for the private schools currently funded by the Urban Emergency Fund, placed 21 students in the private schools for 1971-72. Many of our schools would like to increase scholarship allotments to serve the community and their own students better but they are unable to do so for lack of funds.

Importance of Diversity It seems apparent to us that the American tenet of freedom of choice is as important to the health of American education as it is to American business. The Supreme Court reaffirmed this position in 1925 in the Oregon case of Pierce vs. the Society of Sisters. A recent Gallup pole further substantiated this belief when 72% of a national sampling believed that a variety of schools should exist to offer parents alternates in education. President Nixon affirmed in an address in October 1968,

> "The private schools and colleges have also provided the diversity which is one of America's great strengths. We must also remember that private schools of various kinds are able to draw upon financial resources not available to public institutions - - and which would not otherwise be available to education. Yet our private institutions are now experiencing severe financial pressure as the costs of public education increase. In my view it would be a tragedy of the first magnitude if tax-supported state schools were to drive private institutions out of existence."[5]

Diversity in elementary and secondary education has been allowed to exist but there have been too few programs that have concerned themselves with assuring that it exists.

We believe that the non-public schools offer a freedom of choice to parents, provide healthy competition to what would otherwise be the only education in America, the public schools. In that very competition lies a compelling reason for their existence.

Quality and Independence In any appeal for aid we recognize the government's concern for quality control. It would be indefensible to expect the government to subsidize mediocrity in education - and certainly not in nonpublic schools. While academic excellence is difficult to measure it can be quantified in the number of graduates going on to college, finalists and semi-finalists in the national merit exams. However, the variety of programs in our schools evidences our concern for the moral, emotional, and spiritual development of our students. We place strong emphasis on human concerns, faculty-student relationships and on the maximum development of each student. How can this be successfully monitored?

Independent schools are already subject to the exacting expectations of parents who are being asked to pay higher tuitions in years when money is harder to come by. This is a process of selectivity unknown to the public schools. There is also healthy competition between our schools. Our state association, ISARI, is concerned with self-improvement. To that end three teachers' conferences were held this fall.

In ISARI all of the secondary schools save one, currently applying, have been evaluated by the New England Association of Schools and Colleges, (NEASC) and are members. NEASC is currently developing a new instrument of evaluation focusing on the teaching process itself. We have been involved in this development and will continue to be so. There is also an instrument for the elementary levels. These processes of evaluation provide a quality control intended to measure the performance against the goal. This type of evaluation is well-adapted to the variety of private schools. ISARI schools operate with the approval of the State's Department of Education also.

If the nonpublic schools are to perform their function of providing alternatives in education and remain independent enough to differ from the public schools, any means of granting aid will have to safeguard their independence. Optimistically the present monitoring system of the Department of Education and NEASC could provide sufficient monitoring systems, without jeopardizing our independence.

Finances In Rhode Island's private schools, tuition provides for roughly 85% of revenue;[6] charitable contributions and in a few cases endowments make up most of the balance. Endowment, where it existed in 1967-68, amounted to $90 per pupil per year.

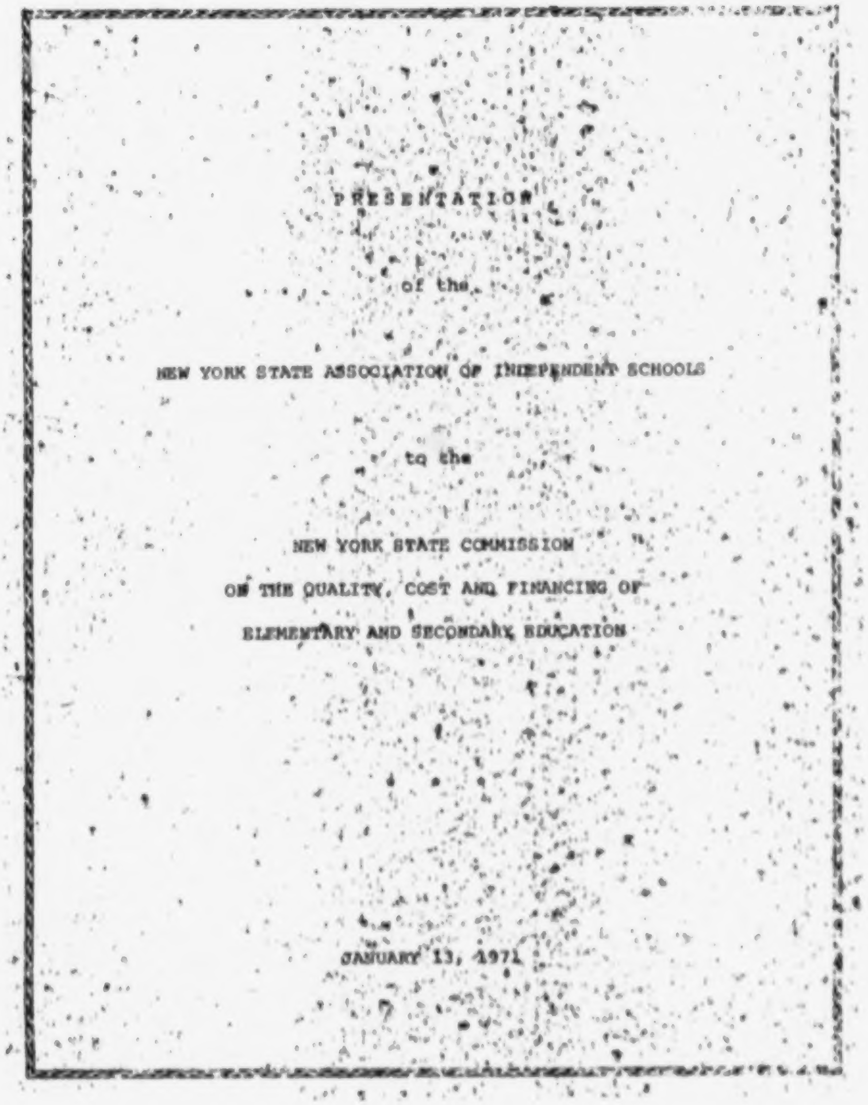
The Federal programs covering milk, text book aid, library improvements and some mini-grants of Title III have been helpful in a modest way. Within the state, the testing program in K, grade 4 & 8, Channel 36 and more recently the busing of nonpublic school students to a nonpublic school within a town and in selected instances to regional schools has been of help.

While these programs vary in their ability to aid different schools, I do know that the maximum usage this year of all of these programs at Rocky Hill School is worth six average day school tuitions. In New York State independent schools--50% have received no aid whatsoever, 39% have bus transportation through their local school districts, only 15% receive textbooks available to nonpublic school students by law, 14% are assisted by the surplus food program and...only 8% receive funds for library books under Title II of EDEA.[7]
In order to help us meet deficit operations, farther reaching and more fundamental aid programs will need to be devised.

In conclusion we, therefore, request your consideration of tax credits, a voucher system or opportunity grants for students similar to those in existence for students at private colleges. We submit that the private schools are essential to the development of choice in American education. Rhode Island has obviously supported this conviction by sending 24.8% of its children to nonpublic schools. Without help in one of these three areas it is apparent that it is only a question of time before such choice will no longer exist.

FOOTNOTES

1. Nonpublic Education in Rhode Island: Alternatives for the Future, Henry M. Brickell, pub. July 1969. p. 25.
2. Ibid, p. 26
3. Recent studies by Douglas Heath, author of Humanizing Schools, pub. 1971, Hayden Pub. documents these ideas.
4. Brickell, p. 34
5. Presentation of the New York State Association of Independent Schools to the New York State Commission, January 13, 1971, p. 11
6. Brickell, p. 27
7. Presentation, chart 8



PRESENTATION

of the

NEW YORK STATE ASSOCIATION OF INDEPENDENT SCHOOLS

to the

NEW YORK STATE COMMISSION
ON THE QUALITY, COST AND FINANCING OF
ELEMENTARY AND SECONDARY EDUCATION

JANUARY 13, 1971

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NEW YORK STATE ASSOCIATION OF INDEPENDENT SCHOOLS
20 Chestnut Hill North
Loudonville, New York 12211

I. INTRODUCTION

The independent schools of New York State appreciate the invitation of the Commission to present their views. While all of us were partially aware of the scope of the Commission's study, the enormity of your task became much more apparent after our first introductory session with some members of the Commission on October 30th and our subsequent study of the Commission's agenda of proposed research.

We are aware of your desire for hard data. To supply this we sent a questionnaire to our member schools in December. All of us receive an increasing number of questionnaires each year, to our great dismay. The fact that 87% of our schools took time to complete the requested survey indicates the interest and concern of our group.

We would be glad to assist if there are additional data the Commission would like to have.

II. CHARACTERISTICS OF THE
NEW YORK STATE ASSOCIATION OF INDEPENDENT SCHOOLS

As illustrated in Chart #1, the New York State Association of Independent Schools has a membership of 86 regular member schools and 12 provisional member schools throughout the state, enrolling 31,572 students and employing over 3,000 teachers. 90% of the students (28,424) are residents of New York State. Total enrollment has remained about the same during the past three years. Enrollment of day students has been increasing by about 2% a year but this increase has been offset by a decline in boarding students. 85% of the member schools have no direct relationship of any kind with a religious group -- many of these include in their program, however, some religious observance varying in nature and degree from school to school; the remaining 15% have some affiliation with a religious group, with 10% of the schools supported or under the auspices of such a group.

While there may be others, there are 59 independent schools in New York State listed in the PORTER SARGENT HANDBOOK which are not members of this Association, and which enroll approximately 15,000 students. Most of these schools are located in New York City.

As can be seen from Chart #2, which is based on full reports from 85 regular member schools, the schools in this Association are of many types: day schools, boarding schools, or a combination of the two; elementary, secondary and 12-grade schools; schools for boys, for girls, and coeducational. Approximately 2/3 of the schools are entirely day schools, and nearly 1/2 are coeducational.

Chart #3 shows that 54% of the day students enrolled in NYSAIS member schools attend New York City schools; 12% are day students in other cities of the state; 22% of the day students attend suburban area schools; and 12% are in boarding schools.

Member schools vary considerably in their educational philosophies. Requirements for membership in the Association include an open admission policy that schools will not discriminate on the basis of race, religion, and national origin, incorporation as a non-profit organization, and accreditation of secondary schools by the Middle States Association of Colleges and Secondary Schools and of elementary schools by the Association's own evaluative procedure.

Our smallest regular member school has only 69 students; the largest has 1,511, and the rest are in between. Among the member schools are the following: the oldest school of any type in this country which has operated continuously since its founding in 1638; a school respected nationally as one of the best schools for children with reading difficulties; the only school we know of which operates an educational program exclusively for children engaged in the performing arts; a school for gifted children in Brooklyn which is shattering many of the long-held tenets about culturally deprived children through its work with youngsters from the Bedford-Stuyvesant area; a school enrolling only 239 students but offering courses in 11 different foreign languages; a school where elementary school children raise and harvest their own vegetables, dress and pluck chickens; and a school graduating 110 students which had 71 national merit scholars, finalists, semi-finalists or commendations.

III. CONTRIBUTIONS TO THE PUBLIC SECTOR AND COMMUNITY

In speaking about the public mission of private education, we hope to demonstrate that our independence does not imply or result in isolation, but rather that both our brains and our brawn are at the disposal of, and contribute meaningfully to, the public sector. The availability of our brawn -- our classrooms, laboratories, auditoria, gyms, fields and studios -- is of positive help to our communities, which are increasingly seeking public areas in which to hold the recreational, artistic or intellectual activities prompted by the shorter work week and higher expectational level of our society.

Approximately 70% of member schools report the current use of and increasing demand for their facilities for community organizations or individuals. The degree varies from occasional to extensive and continuous use. For example, schools report the use of indoor and outdoor athletic facilities on evenings and Saturdays and during the summer by such diverse groups as: Boy Scouts, Cub Scouts, Girl Scouts, 4-H, Camp Fire Girls, and Little League baseball. Use of the school by neighborhood families on an informal basis was frequently reported. Among the more unusual listings were the use of a school swimming pool by the State Police for scuba diving practice and of remote open fields as a fire department training area.

On Saturdays and during the summer many schools either conducted or offered the use of their buildings for day-care centers, and for tutoring and remedial programs for inner city children, retarded children and Headstart programs. Various art and music groups frequently found their way to independent school facilities both for regularly scheduled meetings and for special exhibitions and programs. Many schools plan forums or speakers on topics of interest to the general public who are warmly invited to attend.

Thus, we submit, our independence in no way takes us out of the public domain of our environment, but rather results in our offering a diversity of facility to the community comparable to the diversity in education to be elaborated upon later in this presentation.

There are, we believe, at least four ways in which our brains (for what they are worth!) are of service to those beyond our enrollment: through volunteer community service of our students, through teacher training programs, through enrollment of scholarship students, and through filling educational needs the local public system cannot fill.

There is a long tradition of the encouragement of community service in independent schools. Currently 60% of member schools report such programs with student participation indicated in all cases. One school requires for graduation at least a minimum number of hours of community service. At another, each senior spends four weeks in some form of such work. At many schools, faculty, students and parents all participate in the various programs. It is gratifying to note that our activity and commitment in this area has led to some of us being consulted as well as asked for active cooperation by the pioneer Ruppert Renewal Comprehensive High School, currently entering its final planning stages.

Programs for innter city or disadvantaged children are by far the most frequently found in our constituency. These include enrichment and tutoring programs during the school year and on Saturdays, recreation programs and summer programs. The students of one school run a breakfast project for children in Harlem and finance it through a sacrifice lunch program. Many of our member schools in New York City support the Independent Schools Opportunity Project which now serves as active liaison between our neighborhood public schools, community agencies and ourselves. Although founded initially to raise scholarship funds to increase the minority enrollment in city private schools, the group is now actively helping guidance counselors and applicants find places in appropriate independent schools. The request from public school personnel for this service has been overwhelming. They have eagerly welcomed the opportunities this group has provided for meeting with private school representatives and have requested that we hold periodic "open houses" in our schools for them to visit -- both from the point of view of helping them guide appropriate applicants to us, and for increased mutual knowledge and understanding.

The Yorkville Youth Council program in Manhattan, in existence for a generation, operates play centers in four public schools and provides student and parent volunteers from our schools to work in these after-school enrichment and recreational programs. Although this was initiated entirely by private school parents, it was so successful that the public schools have begun this in their schools using the same techniques, but their own parents and students. Now public school parents and students are intimately involved in YYC with our parents and students. Private school heads sit on the Board with public school principals.

Operation Broadjump enters its third year of operation this summer with four summer schools to be held in private school facilities in Manhattan, directed by teachers from these schools but with affiliate public school teachers as assistant directors and involved actively in the teaching and planning and follow-up. A number of suburban schools have also started programs, in which children from the inner city are brought out for a six-week period, during which objectives include the creation of a constructive and joyful school atmosphere, the establishment of student-teacher rapport, and the development of increased self-confidence and self-image.

Thus, far from remaining outside of the mainstream of our communities, we believe we are not only integrally involved in it, but have also found areas where we can be a positive moving force. From cooperation with our colleagues in public schools as well as from our individual initiative, comes, we believe, our educational contribution. Because of the factors being emphasized in our presentation today, we are able to teach in ways and in areas that may not be possible in our communities and neighboring schools. When there is a need that we can fill that available public schools cannot fill (for any number of reasons), then we contribute at least through the children we teach, through the teachers we train, and -- as many public school teachers have told us -- simply by keeping certain goals and methods alive.

In turning now to teacher training, this last point is the key reason why we would like to see greater use made of independent schools for student-teacher internships. Many member schools have student-teachers from neighboring colleges and universities, and work closely with their supervising graduate school departments. Our schools are considered to be favorable environments for the student-teacher because we generally offer more time to consult with experienced teachers and the opportunity to observe a variety of innovative programs. Unfortunately, many schools of education either require public school practice teaching, or indicate a decided preference for such experience over private school exposure. Teachers who have trained with us and work in the public sector say there are many advantages to learning in our classroom environment. They also say they have no trouble in extrapolating experience with us to their future classrooms. Both training teachers and those from neighboring public schools are offered participation in workshops run by private schools for their own teachers.

Clearly this is an area where we look forward to increasing involvement with the public sector, noting that involvement in all the other areas mentioned is inevitably resulting in opening the doors for public school teachers to train with us, as well as the comparable opportunities for teachers who may teach with us to have had their training in public schools.

Finally, there is an increasing commitment in many of our schools to offer scholarship aid to culturally and economically deprived youngsters. This will be the first area to suffer as increasing financial limitations are put upon our operations. Many of our schools would like to increase their scholarship allotments markedly -- in order to serve both their own students and the community better, but are unable to do so simply because of lack of funds.

As indicated in Chart #4, in our member schools this year 13% of the students receive full or partial scholarships totalling $3,800,000. Of this amount $1,625,000 -- or 43% -- will go to students from minority groups, nearly all of whom are black. So, in other words, 43% of the scholarship funds have been allocated to less than 4-1/2% of the students. Our national organization, in working on similar statistics, has noted that our percentage growth as well as our current percentage of minority enrollment shows us to lead the private colleges in this regard. More will be said concerning the importance we see both to us and to our communities in our commitment to offer some degree of choice of education to all elements of the socio-economic spectrum. Our financial limitations here are critical.

IV. FINANCES

To survive and to function effectively, the independent school must have the financial base to provide the facilities, faculties and programs, thereby retaining their uniqueness, which will enable them to better serve the public sector. To do otherwise would restrict their effectiveness to those who can afford this educational alternative.

Our schools are financed by a combination of tuition, gifts, in some cases income from endowment, and miscellaneous charges for special services of various kinds, with tuition being the principal source of income in almost all instances. One common misconception about independent schools is that they are all well-endowed. The opposite is the fact, with a handful of exceptions. The results of a survey just completed of the member schools of this Association and illustrated in Chart #5 indicate that during the last fiscal year their total operating income was $61,660,000. This came from the following sources:

Tuition.	$51,200,000	or	83%
Contributions.	4,210,000	or	7%
Income from Endowment & reserve funds. .	2,300,000	or	4%
Miscellaneous income from services . .	3,900,000	or	6%

To give a comparative figure, if all of the member schools should apply to the State for apportionment for mandated services, they would receive approximately $1,000,000, or less than 2% of the total operating income.

The financial situation of independent schools today is similar to that of all educational institutions, private and public, at whatever level -- they are hard pressed. In the past ten years cost per student has about doubled as a result of several factors: the improvement of salaries in education (up around 60% in our schools); the need for more financial aid for students both in absolute terms and to meet inflated costs; the explosion in educational activity, method and curriculum, calling for growth, change and broadened responsibilities; and the increasingly serious force of inflation which has not only accelerated what would clearly have been an upward course of educational expense, but has eaten heavily into the real gain that increased resources from rising tuitions and gifts were making in the first half of the last decade. The result is that the schools start the 1970's having used up much if not all the income growth potential, while faced with all the upward pressures of the last five years, further compounded for the private institution by the decline in both the tuition and gift potential brought on by a "recession."

Maintaining the proper condition of our physical facilities in a time of rising costs has imposed another serious burden on our already strained financial resources.

Because adverse economic factors accelerated in severity about halfway through the last academic year, we anticipate that the current year, 1970-71, will show increased difficulties in the ability of the parent to pay tuition and make contributions. Any extended continuation of the present circumstances will result in the closing of some schools, and the limiting of enrollment in others to the very few who can pay unduly high fees, an end which will defeat the underlying purpose of the independent school -- the provision of diversity in education and of choice for parents.

Chart #6, based on our recent survey, shows that 27% of the member schools, on the basis of past experience and current needs, indicate a tuition raise of 10-20% will be necessary by 1975-76; 40% believe the increase will be between 20 and 30%; 18% of the schools forecast a 30-40% rise; 10% think a 40-50% increase likely; and 2% even believe a 70% increase is possible. The median of our total responses would lie between 25 and 30%, and even this prediction, which this committee feels is most conservative, would severely interfere with scholarship programs and deny independent education to many economically marginal parents.

Chart #7 shows the parent income of students in our member schools at 3 different levels: less than $3,600, between $3,600 and $10,000, and over $10,000. It is not surprising that 81% of our schools indicate that at least 75% of their parents have income of over $10,000. What is surprising is the number of schools reporting a significant percentage of parents with incomes between $3,600 and $10,000. 52% of the schools indicate that from 5 to 25% of their parents fall into this category. Also, 40% of our schools report having some parents whose income is below $3,600. Obviously, these would be full scholarship students.

A great deal of publicity has been given to the various forms of aid already available to nonpublic schools by federal or state programs. Unfortunately, these have benefited independent schools only minimally, primarily because of restrictions which discourage participation.

As Chart #8 indicates, half of our member schools receive no kind of government aid whatsoever. 39% have bus transportation through their local school districts, only 15% receive textbooks available to nonpublic school students by law, 14% are assisted by the surplus food program, 10% have a school nurse furnished by the local district, and only 8% received funds for library books under title II of the ESEA.

The point we are trying to make here is that whatever kind of financial assistance is provided by the federal and state government must be administered flexibly if it is to be of any value to nonpublic schools.

In summary, the independent school in New York State today finds itself in the same general circumstances of all other kinds of educational institutions -- financially squeezed with no obvious means of improvement, and the probability of a worsening picture. Its situation is probably most nearly comparable to that of the small private college, but accentuated by the added factor of no assistance from government sources for low-cost building loans, student loan funds, and opportunity grants.

V. THE IMPORTANCE OF DIVERSITY

The mosaic of American education is predicated upon a pluralistic education structure which provides for viability and freedom of choice to parents and students. The pressures of society today accentuate this need perhaps more than at any time in our history.

President Nixon stated in an address in October 1968:

> "One of the most profound challenges of our times is the preservation of diversity, the preservation of freedom itself in the face of increasing complexity and interdependence. And yet increasing complexity need not mean standardization, if only we make the decision that it must not. The private schools and colleges of America have always been a source of diversity, of possibility, of experimentation. They have long provided the cutting edge of progress, pushing ahead with new ideas and new techniques.
>
> "The private schools and colleges have also provided the diversity which is one of America's great strengths. We must also remember that private schools of various kinds are able to drawn upon financial resources not available to public institutions -- and which would not otherwise be available to education. Yet our private institutions are now experiencing severe financial pressure as the costs of public education increase. In my view it would be a tragedy of the first magnitude if tax-supported state schools were to drive private institutions out of existence."

Here in New York State, at the February 1970 meeting of the Board of Regents, Stephen K. Bailey read a statement in support of the repeal of the Blaine Amendment which many feel epitomizes the argument for state aid:

> "As one who believes his responsibility extends to all of the children of this state; as one who believes in educational pluralism and the options and self corrections it promotes; as one who wishes to see the common aspect of our intellectual heritage strengthened in both public and non-public schools; as one who feels disastrous financial consequences for public education if private education is forced to close its doors; and as one who believes that racial integration can be made compatible with the continuation of sectarian educational institutions, I will vote with

enthusiasm for a reaffirmation of the position taken by the Regents three years ago."

In our view, public aid for nonpublic education has to be considered in the light of certain underlying principles. The mere need for financial help from somewhere just to keep existing institutions from closing and burdening the public schools further, appealing though it may be politically, does not in our opinion constitute an effective long-range base for an argument for public aid in itself. The argument has to be made in positive and philosophic terms and ought to stand on its own feet whether or not there are any nonpublic schools in existence, and therefore, regardless of the situation of presently existing institutions.

The recognition of problems such as this often leads to generalizations which are much too broad. If rational public policies are to be adopted, it is obviously necessary to determine the intensity of the problem, its dimensions, and the groups affected. The nonpublic schools of New York State are not a homogeneous group of "general" educational institutions. They comprise a diverse group of large schools and small schools, day schools, and boarding schools, elementary and secondary schools, specialized professional schools and general educational schools; secular and nonsecular schools.

Many feel the argument can be made for elementary and secondary schools, just as it has been made and accepted for higher education through the Heald and Bundy Commission reports. The argument is based on the fundamental and characteristic principle of our society -- namely, the importance of a degree of diversity in our educational system at whatever level.

The Heald Committee noted that private institutions, "give American education a diversity and scope not possible in tax-supported institutions alone, and they have an opportunity to emphasize, if they wish, individualistic patterns of thought, courses of social action, or political or religious activity." This is an important consideration, for if we are to remain a pluralistic society a strong private sector of education should be maintained along with the growing public sector.

If diversity in education is the public policy of the state, it follows that there must be a commitment on the part of government to encourage it to exist and to assist it in accordance with its needs. While there is evidence that this commitment does exist in some ways, it is curiously lacking in others. There seems to be little difficulty in expressing the commitment in regard to higher education, as evidenced by the various programs in effect. However, similar positive statements for diversity in elementary and secondary education are hard to find. To put it another way, diversity in elementary and secondary education is allowed to exist, if it can, but precious little has been done to assure that it does. The discrepancy between an active concern of the state for diversity in higher education on the one hand and a lukewarm neutrality for diversity in elementary and secondary education on the other is marked.

An interesting and related concern evolves around the consideration of minority groups today. One of the problems of our society is the lack of mobility of the disadvantaged and minority groups. Public school districting contributes to immobility despite various efforts and schemes to ameliorate it.

Is the independent school really able to assist with the needs of these groups with the tremendous demands placed on our resources? Eric Sevareid wrote for the New York Post back in June 17, 1963: "In this twentieth century, the uneducated man is not a man. He does not quite exist. In its deep-seated, visceral motivations, the Negro revolt is, in part, a desperate reaction against non-existence."

Financing education for all people -- and for special subgroups of poor and minority groups -- can be discussed with conviction only if we accept the American ideal of equal opportunity as being genuinely sincere. Ronald Wolk speaks to this point in his book, Alternative Methods of Federal Funding for Higher Education: "It is clear, however, that the American ideal of equality of opportunity for all depends for its realization on making post high school opportunity a reality for the culturally and economically disadvantaged, who constitute both the greatest untapped human potential for our society and its greatest problem." There are many who would contend that this equality of opportunity should exist below the college level.

Independent schools do assist in promoting mobility by drawing students from a much larger geographical area.

Chart #9 indicates the number of towns or boroughs from which member schools enroll students. While approximately 1/3 of the schools enroll students from fewer than 5 towns or boroughs, most of these institutions are in New York City. Three percent of the schools list students from over 100 towns or cities, (these are mainly boarding schools), 25% from over 30, and 59% are represented from over 10 towns.

We regard diversity in student enrollment as an increasingly important aspect of our schools. Some of the critics of private schools allege that they are attended only by students from affluent white families and that the existence of private schools impedes the progress of integration.

A previous chart showed that in 1969-70 over 1,300 black students representing 4½% of the total enrollment attended our member schools. While this is not a particularly high percent, it is significant since it is based on total membership and many of our schools are located in areas where it is difficult to enroll minority students. These statistics should give evidence that our member schools are putting forth determined efforts to help correct racial imbalance, motivated by the desire both to help individual minority students and to enrich the experience of all students.

We firmly believe that the nonpublic schools are essential to the American way of life in that their existence guarantees freedom of choice to parents for the education of their children, deters the development of a monolithic system of public education, and in providing desirable competition promotes the well being of public institutions. We seek your assistance to see that the pluralistic educational structure in New York State continues.

VI. STANDARDS AND ACCOUNTABILITY

Independent schools have traditionally prided themselves on their academic excellence. While "excellence" is sometimes difficult to measure, there are some statistics concerning the independent schools of the New York State Association which are significant.

As Chart #10 indicates, 66 of the regular member schools of this Association have a 12th grade, and last June those schools graduated approximately 3,000 students. Of these, 89% entered 4-year colleges, and another 7% entered 2-year colleges. The remaining 4% went into military service, employment, special schools, or were married.

Nearly 400 students, or about 17% of those in reporting schools, were given designation as Finalist, Semi-Finalist, or Commendation Letter winner in the National Merit Scholarship Competition.

However, as has been indicated earlier in this presentation, most of the schools in this Association do not limit their goals to academic excellence or preparation for college admission. The variety of programs alluded to earlier in this presentation indicates the degree of concern in our schools for the emotional, moral, and spiritual development of our students. In a time when the values of our society are under great stress and are shifting more rapidly than most of us recognize or acknowledge, it is essential that a group of schools which place strong emphasis on human concerns, on adult-student relationships and on the maximum development of each individual not only be encouraged to persist but also be supported to that extent which will enable them to be strong and dynamic.

As an Association of independent schools, we recognize the responsibility of the Board of Regents for all education in New York State. We also recognize the need for accountability, particularly if financial support is provided for independent schools. Any form of accountability, however, which seriously limits the basic independence of our schools must be strongly challenged, for such limitation would make it impossible for our schools to continue to make the unique contributions to education in our State which are a part of their record. Therefore, any public aid to our schools should be rendered in such a way and only to such an extent as to safeguard and maintain the independence and freedom of our institutions.

To avoid mere duplication of public school standards and practices, the responsibility of monitoring independent schools could be delegated to this Association by the Board of Regents. As was previously pointed out, a requirement for membership in this Association is accreditation of secondary schools by the Middle States Association of Colleges and Secondary Schools or for elementary schools accreditation by the Association itself. The Association developed Evaluative Criteria and Standards for Elementary Schools which were approved by the State Education Department. We would assert that the evaluation processes which lead to accreditation by the Middle States Association or by this Association are more searching examinations of a school's performance and quality than those which can be practically carried out by the State Department of Education with their already overburdened evaluation system for the public schools. Independent schools in the State that do not belong to our Association could have the option of being monitored either by the State Education Department or by this Association. There is precedence for such a dual system of monitoring in at least three states -- California, Pennsylvania, and Connecticut.

This Association has a long history of promoting educational, professional and ethical standards of high quality in its member schools, and a continuing primary purpose of the organization is to strengthen and maintain these standards. It should be pointed out that there is an automatic monitoring system for all independent schools. They are truly judged by their performance. Parents will not support independent schools which do not render service of real value. Also, there is healthy competition within the independent sector itself -- for enrollment of students and with respect to the quality of performance.

Public school systems and state education departments are vulnerable to competing pressure groups. Civil rights organizations, white backlash movements, black power spokesmen, taxpayer watchdogs, teachers unions, and coteries of entrenched administrators make such contradictory and vehement demands that consensus on the educational program is almost impossible. Nonpublic schools have more homogeneous and cohesive constituencies, and thus are not subject to the same disabling conflict. In the face of current pressures, many educators spend most of their time and effort trying to achieve acceptable compromises, and school systems find it difficult or impossible to depart from traditional and conventional philosophy and procedures. If independent schools are made to conform with the regulations of public education, they will not carry out the role they should play. Such a loss of freedom will seriously diminish their capacity for change, innovation and educational leadership.

It would be indefensible if any program of State support subsidized mediocrity in the nonpublic schools. Accountability and monitoring are essential and should be carried out. This Association is of the opinion that procedures for reliable and thorough accountability and monitoring now exist or can be developed without imposing standard public school regulations. The independent schools can provide freedom of educational choice, healthy competition for the public schools, and promote change, experimentation and innovation in education, only if they are allowed to operate as independent institutions.

VII. MAINTAINING INDEPENDENCE

The private school's role as an educational resource has until now been largely ignored in high-level political discussions of educational problems and needs. The schools themselves have in the past been partially responsible for this isolation, for some have preferred to remain aloof and private. We hope that we have given evidence today that most of the schools of this Association have broken out of the pattern of service to a special and limited clientele and are thinking of themselves as a community resource which has a distinctive contribution to make to the solution of local and state problems. We believe that the independent schools of New York State, although small in numbers compared to the public or parochial schools, have, nevertheless, contributed to the excellence of education in the state to a degree far out of proportion to the number of students involved.

We also believe, as we have asserted earlier, that maintaining the independence of our schools is an important objective if those schools are to serve their purpose. Freedom of choice, localized decision making, proximity to the constituency and flexibility are significant advantages of independence. That freedom of choice is well-established as a national concept is amply documented by the Gallup poll of February 1969, which revealed that 72% of the American public believes there should be private and parochial as well as public schools.

There is much talk today of educational change. A vast literature has sprung up around such practices as "nongraded classes," "team teaching," "flexible scheduling," and "independent learning." However, in too many instances we see only apparent reform rather than actual change, and too often such efforts to create appearances are undertaken merely to reduce pressures on the system, not to improve conditions for learning.

Independent schools introduce many innovations, as do public schools. However, because the independent schools are smaller and because they can foster more personal relationships between faculty and students, they can more easily initiate innovation and evaluate its impact.

While it is true that some of the programs which work effectively in independent schools are not feasible for large public schools, it does not follow that the independent schools provide no useful models. The history of the advanced placement program illustrates the point. With the increasing resistance of the general public to change and rising local taxes, it is possible that in the next decade many of the genuinely new educational ideas may have to come from nonpublic schools.

It is important, then, that future education in New York State be structured so as to encourage the independence of private schools and their differing approaches to educational problems. Financial encouragement should be rendered in such a way as to foster individual initiative and voluntary support, not to substitute government subsidy for it and thereby proliferate irresponsible institutions. A mix of income from tuitions, private philanthropy, and government support would best assure the continuing healthy condition of independent schools.

It is our conclusion that no single form of aid can be counted on to serve the interests of all children in nonpublic schools. We would do well to examine and emulate the effective measures in the State's broad front program of assistance to higher education.

For example, one of the ways to provide financial aid to nonpublic schools would be to give some assistance to those who seek choices in education but are prevented from exercising them because of economic barriers. This means some kind of educational opportunity grants for those in the lowest economic levels, arranged in inverse proportion to income, as in the Scholar Incentive Program. As we have pointed out, the independent schools in New York State now provide a substantial amount of scholarship aid, and the pressure to increase that aid to accommodate a larger number of disadvantaged and minority youth is strong and growing. Currently this kind of subsidy is coming in part out of tuition paid by others, in part out of contributions, and -- in a few institutions -- in part out of income from endowment. Any government subsidy to such students would lighten the burden on the schools. Since aid would be in proportion to the numbers of students being accommodated, those numbers could be increased. Thus, diversity would be served, as would those who need help most.

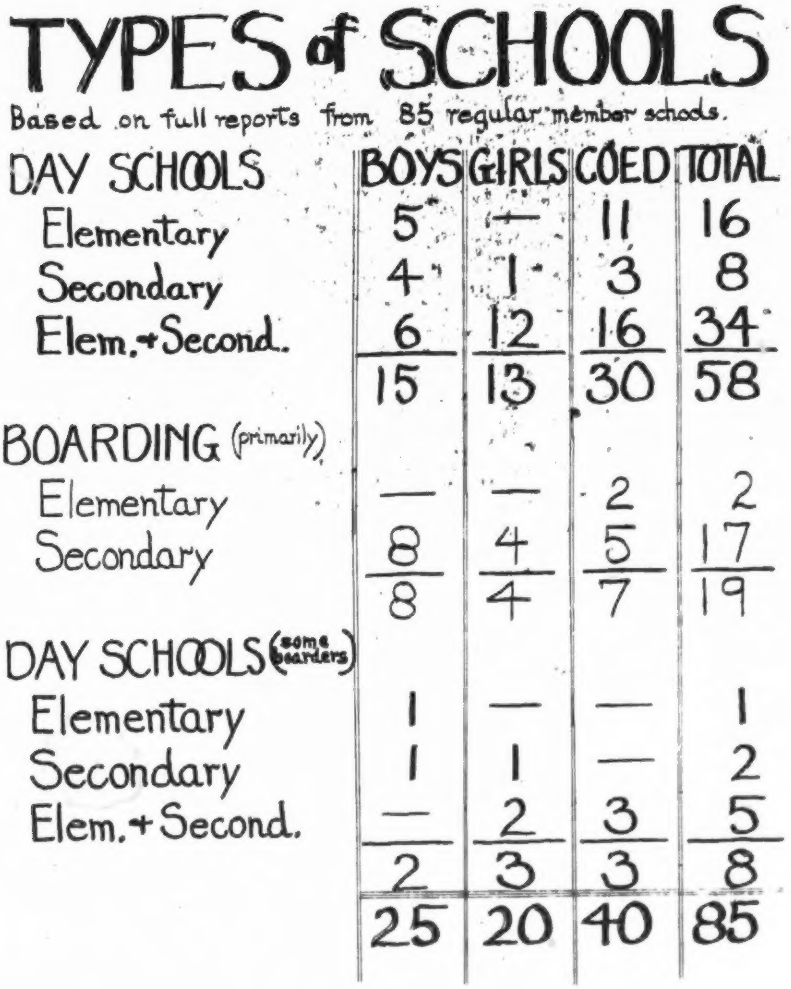
N.Y.S.A.I.S.

	ENROLLMENT	N.Y.S. RESIDENTS
86 MEMBER SCHOOLS	29,564	26,595
12 PROVISIONAL MEMBERS	2008	1,829
	31,572	28,424 -90%

NON-MEMBERS INDEPENDENT SCHOOLS IN N.Y. STATE

	ENROLLMENT
39 IN N.Y.C.	12,168
20 IN OTHER LOCATIONS	2,539
	14,707

CHART #1



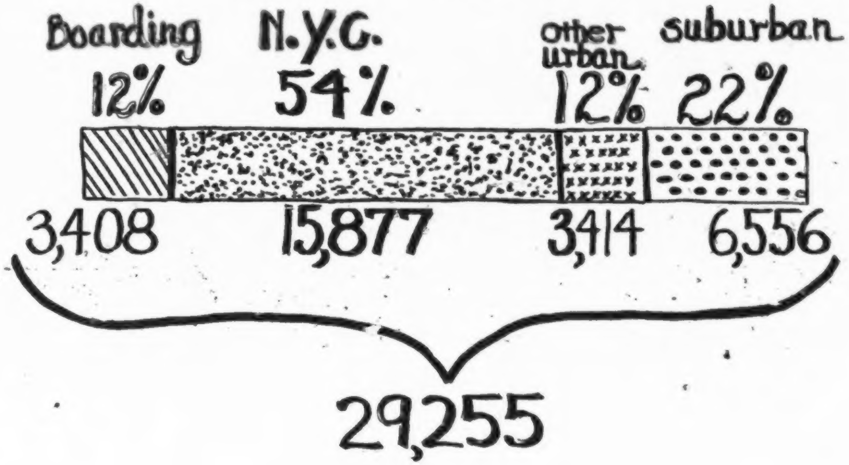
TYPES of SCHOOLS

Based on full reports from 85 regular member schools.

DAY SCHOOLS	BOYS	GIRLS	COED	TOTAL
Elementary	5	—	11	16
Secondary	4	1	3	8
Elem. + Second.	6	12	16	34
	15	13	30	58
BOARDING (primarily)				
Elementary	—	—	2	2
Secondary	8	4	5	17
	8	4	7	19
DAY SCHOOLS (some boarders)				
Elementary	1	—	—	1
Secondary	1	1	—	2
Elem. + Second.	—	2	3	5
	2	3	3	8
	25	20	40	85

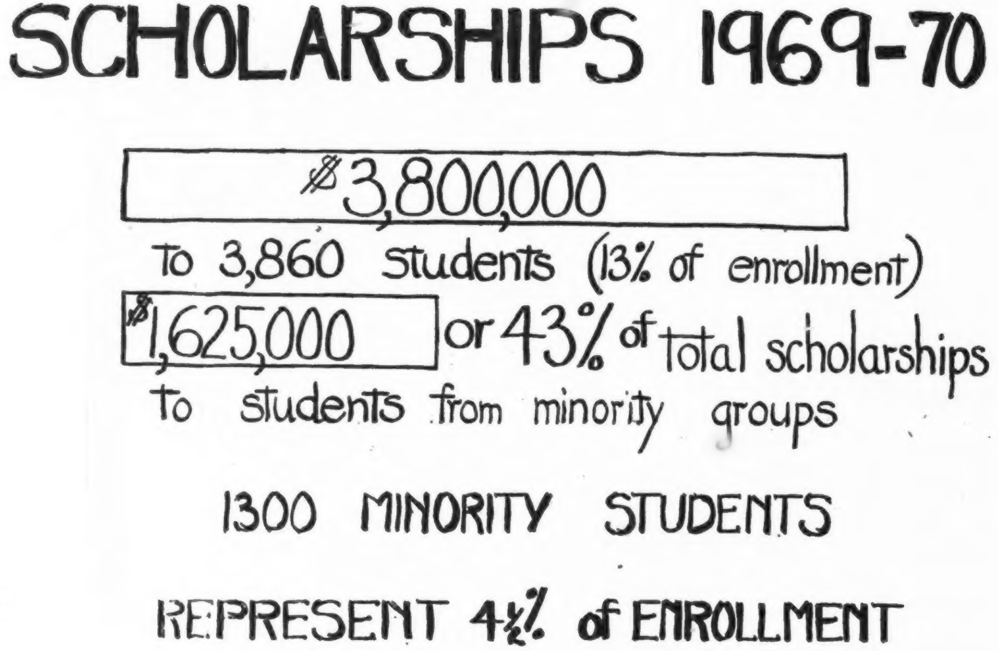
CHART #2

STUDENT ENROLLMENT BY TYPE OF COMMUNITY



Based on full reports from 85 regular member schools.

CHART #3



SCHOLARSHIPS 1969-70

$3,800,000

To 3,860 students (13% of enrollment)

$1,625,000 or 43% of total scholarships
to students from minority groups

1300 MINORITY STUDENTS

REPRESENT 4½% of ENROLLMENT

CHART #4

OPERATING INCOME

85 MEMBER SCHOOLS 1969-70

$ 61,660,000.

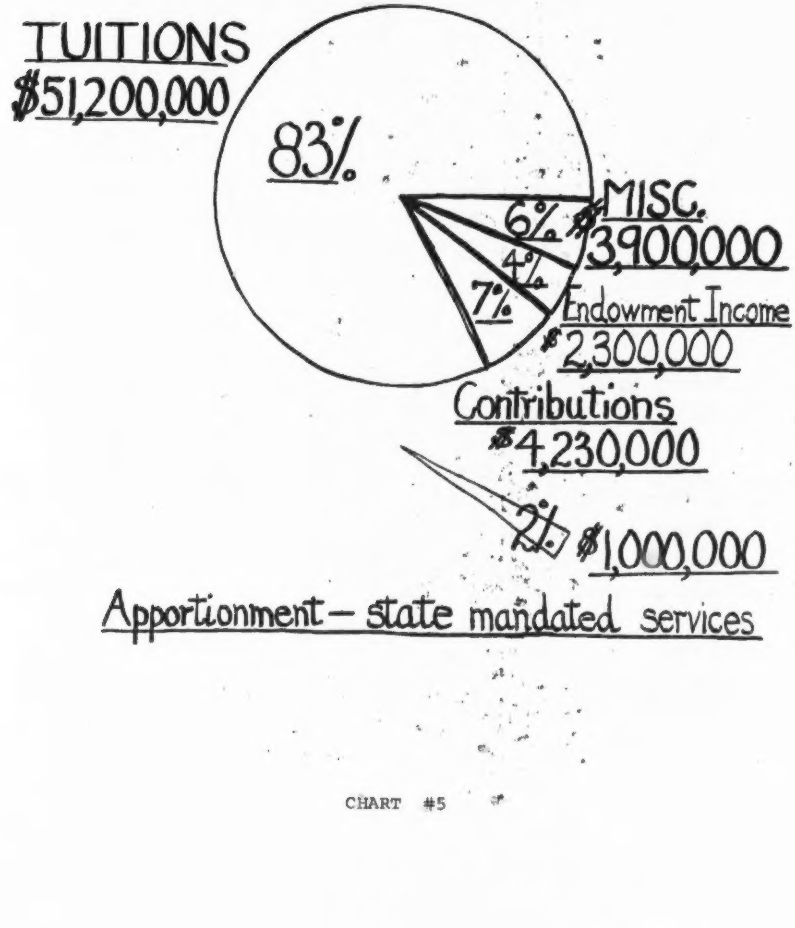


CHART #5

TUITION CHARGES
1975-'76

% of estimates by member schools	Increase
3%	less than 10%
27%	up 10-20%
40%	up 21-30%
18%	up 31-40%
10%	up 41-50%
2%	up 70%

CHART #6

PARENT INCOME

As reported by member schools

Percentage of students from families in each income category

	NONE	LESS THAN 5%	5-25%	26-50%	51-75%	OVER 75%
Less than $3,600	60%	35%	5%			
$3,600-$10,000	10%	33%	52%	5%		
over $10,000			2%	3%	14%	81%

CHART #7

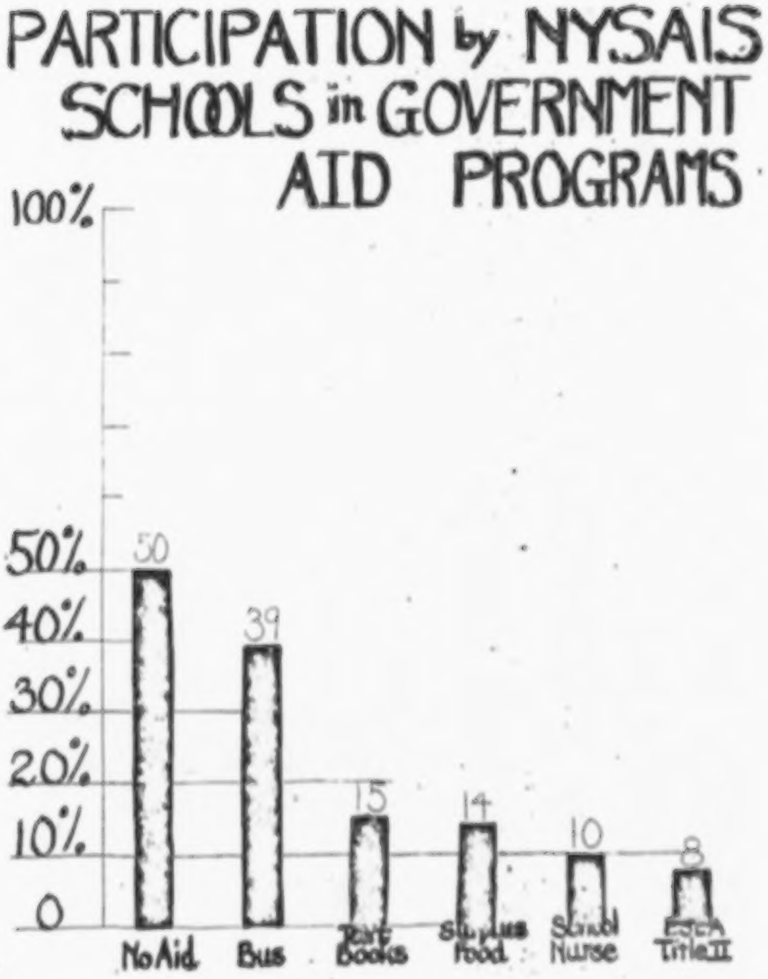

PARTICIPATION by NYSAIS SCHOOLS in GOVERNMENT AID PROGRAMS
100%
50%
40%
30%
20%
10%
0
50
39
15
14
10
8
No Aid
Bus
Text Books
Surplus Food
School Nurse
ESEA Title II

CHART #8

TOWNS IN N.Y.S. FROM WHICH STUDENTS ARE ENROLLED by INDIVIDUAL SCHOOLS

% of schools reporting	No. of towns
32%	less than 5
59%	over 10
34%	over 20
25%	over 30
13%	over 50
3%	over 100

CHART 69

1970 GRADUATES of NYSAIS
3,000 STUDENTS FROM 66 SCHOOLS

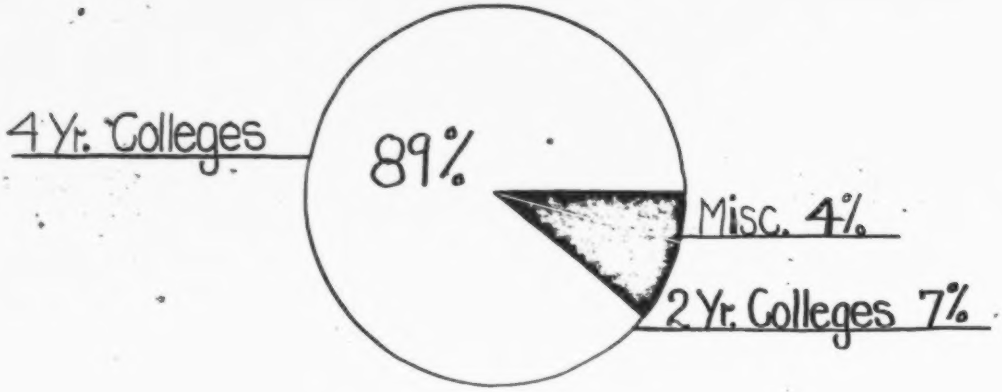


CHART #10

Senator PELL. Will you identify yourself for the reporter and give your full name?

Mr. FARWAY. My name is Nason Farway and I am the executive secretary of the Connecticut Association of Independent Schools which is an organization very similar to Mr. Campbell's, other than we number some 90 institutions out of which some 25 are Catholic and further, that we include as a special category of membership, three Catholic dioceses as a single voting component.

Senator PELL. I believe Mr. Potter is a representative of your national group?

Mr. FARWAY. Yes.

Senator PELL. He appeared before this subcommittee just a month ago.

Mr. FARWAY. That is one reason why I am here, he gave me a little nudge this way. The relationship there is that we are member associations, we are members of the association that he represents. But, the relationship is no closer than that, there is no chain of command. What I thought I would best do after consulting with Mr. Campbell on the phone yesterday, is supply a few not wholly airtight statistics based on experience in the State of Connecticut and leave you for the moment to extraculate from these as you see fit and hopefully, very shortly, to substitute information of your own which ought to do some good.

I have heard you ask with respect to the State of Rhode Island, how much Federal money was flowing into nonpublic schools. The bureau of education management and finnace in our State Department of Education in Connecticut has reported that the amount of such sums is $1,055,000 in Connecticut, which doesn't tell you very much about Rhode Island.

Senator PELL. What is the total budget in Connecticut for education?

Mr. FARWAY. This figure I don't have, but I have before me a summary of programs and services provided for nonpublic school pupils in 1971, the current fiscal year which includes both State and Federal funds in the amount of $4,422,000. Now, what I think you would perhaps like to bear with me on is the reply to four questions which I put to each of our member schools in our association. I had replies from 63 of the kind of schools that Mr. Campbell has been talking about, schools that would be perhaps similar to St. George or Rocky Hill or Moses Brown. I have 15 replies from what I would loosely describe as Catholic high schools and I have separated these returns so that some of the interesting differences will be apparent.

The first question I asked concerned participation in lunch programs. Now by this we mean specifically milk and that is the department of surplus food. Of 63 independent schools, 36 were participating and two Catholic schools out of the 15. There was an option to answer no, but we are eligible, and seven of each for a total of 14 schools—seven independent and seven Catholic were eligible but were not using it. Of the independent schools, 21 said they were not eligible, and they might be wrong. There were six Catholic schools that said they were not eligible and they, too, might be wrong.

The next question had to do with title II and of the 63 independent schools, 42 replied "Yes," they were entitled to, one replied "Yes," but this is the last time and I don't know why that was; and, 15 Catholic schools, all of the Catholic schools reporting were in. Seventeen independent schools reported that they had not applied and four thought they were not eligible and, two of them might be right because they are not nonprofit organizations. When we come to title I—may I pause for a moment and consider or speculate why the 17 didn't apply. One said "Yes," but never again.

The funding of this title has sluffed off as we know only too well and I think there are real questions involving the value and probably the quality of materials that are available to these sources, but I would hazard a guess that the 17 schools felt that they really had no pertinent use to the material that was offered.

Title I, of the 63 independent schools during the school year, to no surprise none participated. If you stop and think where they are situated and what their constituency is this is not anything to be surprised at but, I think it is interesting that 13 of these schools received title I funds for projects that were going on in campuses during the summer and that, of course, 50 did not participate in title I.

Of the 15 Catholic high schools, three were receiving title I funds in the course of the school year, one for a summer program and 11 were receiving none.

The last one I can talk about is title III, and I know a little more about this than the others because I serve on our State-Federal III Advisory Council that was set up 4 years ago. This is just a simple yes or no proposition. Of the independent schools we said, "Have you participated in any way in title III projects?" I had to figure that a lot of these participated in the projects but they didn't know really that the funds were from title III. I however did. I can state that 17 of the 63 independent schools did participate although not any of them knew it. The same is true of two Catholic schools. The no answer to independent schools were 46 and the Catholic schools 13.

Now, as to why this might be, if you will bear with me a little longer I will tell you a little bit about my experience that I have had with independent schools and title III projects.

There have been two in our State and no doubt counterparts which have been enormously successful. There is a program for the retraining of elementary science and mathematic teachers in Watertown and the funding agency was the Watertown Board of Education, but the original idea itself came from the independent schools and it was largely staffed by persons from the Taft School as well as by persons from public schools, and I have a degree of involvement in this scene and authorship involved here.

There is one project which involved 12 independent schools which had for some years prior been involved in bringing to their campuses from the intercity Hartford initially, and Waterbury as well as children who needed something and for whom nothing was available, especially at this time, basically in the area of educational skills and attitude. Here again, a successful operation has emerged in a situation where the school was capable, and in this case the group was capable of designing something and then working up through channels to get it funded. Now, the next most appropriate title III projects have been those which started out and may have been run out of funding by now in the form of area education services. We have five or six around the State and these were joined in some measure by independent schools. They were incorporated in the planning stages for the rest and the participation has been very minimal indeed.

In speaking with the Catholic school representative to our council yesterday, he feels that their situation is absolutely deplorable with respect to title III. It might interest you to know from now on, there will be returned with every title III proposal, a checkoff letter indicating that every nonpublic institution in the area to be served has been offered the opportunity to participate from the planning stages on and absence of this testimony is going to count heavily against a proposal. May I just say one thing personally. First of all. I am very grateful for the opportunity to be here and I hope when you see Senator Ribicoff you will tell him to try something like this across the border. I think it is awfully easy to lose sight of the fact that one of the greatest forms of aid to nonpublic schools has been in existence a long time and I refer to the tax exempt status.

I also will allude to the fact that I personally, from what I see, have very serious fears and very well grounded in some ways that this status is being slowly eroded at the local and State levels. I think it is something that you people may want to watch very closely.

Senator PELL. Thank you very much.

Mr. Campbell, I return to one point that you mentioned which I am not sure I caught correctly. Did you say that the average IQ in your schools is 120 or 105?

Mr. CAMPBELL. 120 and the public was 105.

Senator PELL. Your point was the average IQ in the public schools was 105 and the independent nonpublic was 120?

Mr. CAMPBELL. Right.

Senator PELL. That is a statistical fact?

Mr. CAMPBELL. This is out of the report.

Senator PELL. I thank you both very much indeed for coming and for being with us. I welcome you from Connecticut and Mr. Campbell, good luck to you.

(The following material was subsequently supplied for the record:)

DIRECTORY, 1971 - 1972

INSTITUTIONAL MEMBERS

Dates appearing after names of schools indicate the year of the most recent (re)evaluation and (re)accreditation. The letters after the date signify the association under whose auspices the evaluation was carried out: C for CAIS; N for the New England Association of Colleges and Secondary Schools. An asterisk (*) denotes limited-term membership; two asterisks (**) denote CAIS charter members which have not been evaluated as of June, 1971, and which are allowed until 1973 to be evaluated and gain accreditation.

SCHOOL	LOCATION	SCHOOL HEAD
Academy of the Holy Family (**)	Baltic 06330	Mother Mary Aquin
Avon Old Farms, '67N	Avon 06001	George M. Trautman
Becket Academy '67C	East Haddam 06423	John J. Wolter
Brunswick School '66N	Greenwich 06830	Norman A. Pedersen, Jr.
Canterbury School '66N	New Milford 06776	Walter F. Sheehan
Chaffee School (see Loomis Institute)		
Cheshire Academy '68N	Cheshire 06410	John Vance, Acting
Choate School '64N	Wallingford 06492	The Rev. Seymour St. John
Convent of the Sacred Heart '65N	Greenwich 06830	Sr. Nancy Salisbury
Country School '62C	Madison 06443	Thomas A. West, Jr.
Day Prospect Hill School '62N	New Haven 06511	Mrs. E. Francis Bowditch
Daycroft School '68N (*)	Greenwich 06830	B. Cobbey Crisler
Fairfield College Preparatory School '67N	Fairfield 06430	The Rev. R. J. Starratt
Fairfield Country Day School '68C	Fairfield 06430	William B. Ely III
Foote School '71C	New Haven 06511	Frank M. Perrine
Forman School for Boys and Girls '66N	Litchfield 06759	Mrs. John N. Forman

CONNECTICUT ASSOCIATION OF INDEPENDENT SCHOOLS
NELSON P. FARQUHAR ☐ EXECUTIVE SECRETARY ☐ 12-A WEST LANE ☐ BLOOMFIELD, CONNECTICUT 06002 ☐ TEL. (203) 242-0180

SCHOOL	LOCATION	SCHOOL HEAD
Gilbert School '71N	Winsted 06098	David B. Nichols
Greens Farms Academy '66N	Greens Farms 06436	Miss Nancy Lauber
Greenwich Academy '68 C&N	Greenwich 06830	Miss Katherine Zierleyn
Greenwich Country Day School '69C	Greenwich 06830	George K. McClelland, Acting
Grove School (**)	Madison 06443	Dr. J. Sanford Davis
The Gunnery '69N	Washington 06793	C. Burgess Ayres
Hamden Hall Country Day School '61N	Hamden 06517	M.J. Jerry Whitson
Hopkins Grammar School '65N	New Haven 06515	F. Allen Sherk
Hotchkiss School '66N	Lakeville 06039	A. William Olsen, Jr.
Independent Day School '67C	Middlefield 06455	Roger W. Nelson
Indian Mountain School '66C	Lakeville 06039	Richard W. Rouse
Kent School '64N	Kent 06757	Sidney N. Towle
King School '63N	Stamford 06905	Robert K. Jackson, Pres. James M. Coyle, Head
Kingswood-Oxford Schools		
Kingswood '69N	West Hartford 06119	Robert A. Lazear
Oxford '68 C&N	Hartford 06105	Edward M. Stevenson
LaSalette Preparatory Seminary (**)	Cheshire 06410	The Rev. Joseph J. Baxer
Laurelton Hall (Academy of Our Lady of Mercy) '68N	Milford 06460	Sr. Grace Mannion
Long Ridge School '67C (*)	Stamford 06903	Dale A. Melikan
Loomis Institute	Windsor 06095	Dr. Francis O. Grubbs, Pres.
Chaffee School '60N	Windsor 06095	Mrs. Ralph Erickson
Loomis School '66N	Windsor 06095	Frederick G. Torrey
Low-Heywood School '66N	Stamford 06905	Mrs. Valentine Cesare
Marianapolis Preparatory School '67N	Thomson 06277	The Rev. Donald S. Petraitis
Marvelwood School '64N	Cornwall 06753	Robert A. Bodkin
Mary Immaculate Academy (**)	New Britain 06053	Sr. Mary Felicitas
McTernan School '69C	Waterbury 06710	Clayton B. Spencer, Jr.

SCHOOL	LOCATION	SCHOOL HEAD
Milford Academy '68N(*)	Milford 06460	George T. Corwin
Mooreland Hill School '63C	Kensington 06037	Oscar A. Steege
Mount Saint Joseph Academy '67N	West Hartford 06119	Sr. Irene Holoweska
New Canaan Country School '66C	New Cannan 06840	George E. Stevens
Norwest Catholic High School '66C	West Hartford 06117	The Rev. William F. O'Keefe
Noroton School '69N	Noroton 06820	Sr. Judith Garson
Norwich Free Academy '66N	Norwich 06360	Charles P. Hamblen
Notre Dame High School (**)	West Haven 06516	Bro. Patrick Walsh
Our Lady of the Angels Academy '63N	Enfield 06082	Sr. Mary Magdalen
Oxford School, see Kingswood-Oxford Schools		
Pine Point School '70C	Stonington 06378	John H.C. Sindall
Pomfret School '66N	Pomfret 06258	Joseph K. Milnor, Jr.
Miss Porter's School '64N	Farmington 06032	Richard W. Davis
Putnam Catholic Academy (**)	Putnam 06260	Sr. Anita Dion
Rectory School '69C	Pomfret 06258	John B. Bigelow
Renbrook School '69C	West Hartford 06117	Alan N. Houghton
Robinson School '60C; '68N	West Hartford 06119	John F. Robinson
Rosemary Hall '69N	Wallingford 06492	Mrs. Luther Loomis
Rumsey Hall School '67C	Washington 06793	John F. Schereschewsky, Jr.
Sacred Heart Academy (**)	Hamden 06514	Sr. Ellen Cronan
Sacred Heart Academy '65N	Stamford 06902	Sr. M. Imelda Keenan
Sacred Heart High School '62N	Waterbury 06702	The Rev. J.P. Blanchfield
St. Basil's College Preparatory School (**)	Stamford 06902	The Rev. L.A. Mosko
St. Margaret's School '67N	Waterbury 06720	Pierson F. Melcher
St. Mary's High School '67N	New Haven 06511	Sr. Mary Victor McAvey
St. Thomas Aquinas High School '65N	New Britain 06051	The Rev. Gerald A. Daley
St. Thomas Seminary High School '67N	Bloomfield 06002	The Rev. J.F. Edwards
Salisbury School '66N	Salisbury 06068	The Rev. Edwin M. Ward
South Kent School '62N	South Kent 06785	George H. Bartlett
Suffield Academy '62N	Suffield 06078	Appleton H. Seaverns
Taft School '67N	Watertown 06795	John C. Esty, Jr.
Thomas School (**)	Rowayton 06853	Mrs. J. Struven Harris

SCHOOL	LOCATION	SCHOOL HEAD
University School (**)	Bridgeport 06605	Dr. Aaron Schefkind
Unquowa School '68C	Fairfield 06604	Manson E. Welsh
Ethel Walker School '63N	Simsbury 06070	Miss Isabel Ferguson
Waterbury Catholic High School '67N	Waterbury 06702	Sr. Mary Driscoll
Watkinson School '71N	Hartford 06105	Charles E. Todd
Westminster School '65N	Simsbury 06070	Donald H. Werner
Westover School '68N	Middlebury 06762	Joseph L. Molder,Acting
Whitby School '65C	Greenwich 06830	John P.Blessington
Williams School '69N	New London 06320	Miss Marion Hamilton
Woodstock Academy '68N (*)	Woodstock 06281	Allan D. Walker
Wooster School '69N	Danbury 06810	The Rev.John D.Verdery
Wykeham Rise School '67N	Washington 06793	The Rev.Willoughby Newton

AFFILIATE SCHOOLS

Affiliate Schools (Correspondents or Recognized Candidates for Membership) are not voting members of the Association and are not yet accredited. Correspondent Status is awarded to a school which, upon evaluation, has been found to have met the basic eligibility requirements and has begun to work towards accreditation. Recognition of Candidacy for Membership indicates that a school is progressing steadily towards full membership; this status is held for a period not to exceed five years and is reviewed annually.

SCHOOL	LOCATION	SCHOOL HEAD
RECOGNIZED CANDIDATE FOR MEMBERSHIP		
Institute of Living School '68N	Hartford 06102	John E. Gaisford
Kingsley Hall School '68N	Westbrook 06498	Dr. Warren S. Freeman
Mead School of Human Development '71C	Greenwich 06830	Mrs. Patrick de Beauport
St. Thomas More School '68N	Colchester 06415	James F.Hanrahan
St. Thomas's Day School '69C	New Haven 06511	Mrs. Ethyle Bear
South Catholic High School '71N	Hartford 06114	The Rev.Henry C.Frascadore
Westledge School '69N	West Simsbury 06092	Louis A. Friedman

COORDINATE MEMBERS

The By-laws provide Coordinate Memberships for Diocesan school systems. Representing Diocesan and Parochial elementary schools, each system has one vote, but the individual schools do not vote, nor do they hold accreditation from CAIS.

Diocese of Bridgeport	Bridgeport 06103	Bernard D.Helfrich,Supt.
Archdiocese of Hartford	Hartford 06103	The Very Rev.Msgr. James A. Connelly,Supt.
Diocese of Norwich	Norwich 06360	The Rev.Richard L. Archambault,Supt.

INDIVIDUAL MEMBERS

(Non-Voting)

ASCH, DR. E. DOROTHY, Stirling School, 14 W. Shepard St., Hamden 06514
HAWLEY, ROBERT C. Harkness Rd., Amherst, Mass. 01002
NEWHALL, LAWRENCE J., 46 Hartford Ave., Granby 06035
KALLSTROM, 190 Rose's Mill Road, Milford 06460
MOORE, ERIC B. St. Luke's School, New Canaan 06840
SHEPARD, CHARLES R.S., 154 Armory St., New Haven 06511
SKUTCH, (MRS.) MARGARET, Early Learning Center, Stamford 06903
SMITH, PHILLIPS, Trinity-Pawling School, Pawling, N. Y. 12564
WEINER, RUTH (MRS. MYRON E.), Solomon Schechter Day School, 160 Mohegan Dr. W.Htfd. 06107

HONORARY MEMBERS

DOOLITTLE, MR & MRS. WILLIAM M., Interlaken Rd., Lakeville, 06039
BAUTZ, SISTER JEAN, Manhattanville College, Purchase, N. Y. 10577
BIRD, JACKSON, Essex 06246
CORBIN, HAROLD H., Falls Village 06031
CRUIKSHANK, Breakneck Hill, Middlebury 06762
EVERETT, ALFRED E., 40 West Elm Street, Greenwich 06830
FAIRBANKS, PAULINE S., Plymouth, N. H.03264
GRATWICK, DR. MITCHELL, Woodbury Rd., Washington 06793
GREENE, FLORENCE G., (MRS W. AINSWORTH), 15 Ten Acre Lane, West Hartford 06117
KEYES, FRANCIS, Heritage Village, Simsbury 06070
MILLER, OGDEN, Washington 06793
RANKIN, Langdon G., 53 N. Main St., Essex 06246
THAYER, J. APPLETON, Nathan Hale Drive, South Norwalk 06854
TRULL, SAMUEL F., 30 Cornell Rd., West Hartford 06107
WEBSTER, JOHN R., 340 Old Church Rd., Greenwich 06830
WORTHINGTON, WILLIAM, 40 Thomaston St., Hartford 06112

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Connecticut Advisory School Health Council: Thomas F. Howard (Robinson)

Connecticut Educational Telecast Council: Gladys Kotula (Mrs. Nikolas) (Renbrook): Edward North (Taft)

Connecticut Council on School and College Relations: Nelson P. Farquhar (CAIS)

Connecticut Council of School Executives: Nelson P. Farquhar (CAIS)

State Title II (E.S.E.A.) Advisory Council: Frederick G. Torrey (Loomis)

State Title III (E.S.E.A.) Advisory Council: Nelson P. Farquhar (CAIS)

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(As of October, 1971, there was one vacancy in the Commission)

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David Simpson (Term expires 1974)	(Loomis)
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William M. Martin (Term expires 1972)	(New Canaan)
Geddes Parsons (Term expires 1972)	(Saint Margaret's)
William M. Richardson (Term expires 1974)	(Greenwich Country Day)
Alexander Saitas (Term expires 1974)	(Norwich Free Academy)

FEDERAL AND STATE PROGRAMS OF ASSISTANCE TO STUDENTS IN NONPUBLIC SCHOOLS IN CONNECTICUT, OCTOBER 1971

Over twenty-five years ago the Federal School Lunch Act, Public Law 79-396, began to provide funds for school lunches to nonpublic school students. Today this law supports lunch programs for nonpublic school students in the amount of $60,000 annually.

In 1957 the General Assembly passed legislation permitting towns and cities to provide transportation for pupils attending nonpublic schools when a referendum in the community approved such action. The local community paid for such services entirely since they were not reimbursable by the State.

In 1965 the Congress of the United States passed the Elementary and Secondary Education Act, an act that encompassed a number of programs that provided services or benefits to children who attended both public and nonpublic schools. There was no constitutional challenge of the Act since it provided its several benefits to children through public agencies, a strategy to be used frequently with a number of state laws. Children attending nonpublic schools under ESEA received programs and services designed to benefit disadvantaged children, to provide library books and audio visual materials, and to share in the services of special innovative regional educational programs. The State also passed an act of its own at the same time, providing additional benefits to disadvantaged children attending nonpublic and public schools.

In 1967 the Assembly extended Health and Welfare services to nonpublic school students when 50% or more of such students resided in the municipality in which the non-profit school was located. These services included all those remedial and health services provided the public school students of the community. When such services were provided by the appropriate local public agency, it was reimbursed 100% by the state. At present, the state is reimbursing towns about $2 million for said services annually.

In 1969 Public Act 791 was passed, the Nonpublic School Secular Education Act, a direct assistance approach to the problems of increasing costs facing nonpublic schools. Six million dollars of state funds were earmarked for reimbursement of teacher salaries and textbooks for the approximately 350 nonpublic schools in the state for the 1969–70 school year. Reimbursement formulas excluded from consideration out-of-state students, teachers of religion, profit making schools, and schools that trained people for a religious vocation. Although a variety of safeguards were incorporated in the law to meet the requirements of the First Amendment of the Constitution, a Federal District Court found the law unconstitutional in August of 1970. When the case was appealed to the Supreme Court, authorization was granted temporarily by the Court in March 1971 to make reimbursement to nonpublic schools that contracted with the State to provide secular services during the 1969–70 school year pending the decision by the Court. Such payments in the amount of a million and a half dollars were made to 180 nonpublic schools from April through July 1971 with a warning that the law might not meet constitutional requirements. In July 1971 the Supreme Court found both the Pennsylvania and Rhode Island purchase of services laws unconstitutional. The same decision simply affirmed the lower court decision that the Connecticut law was unconstitutional. At this time the State is seeking the return of funds paid and has had $150,000 returned by 21 schools as of October 30, 1971. All other laws and services related to programs and benefits to nonpublic school students remain in effect and unchanged by the Supreme Court decision.

In 1917 the General Assembly passed legislation requiring municipalities to provide transportation for nonpublic school students comparable to that provided public school students when more than 50% of the students attending the nonpublic school resided in the town. Costs up to $20.00 per student for such transportation were to be reimbursed by the state. In addition, in towns without high schools, transportation to nonpublic schools in adjoining towns may be provided by the local board of education and reimbursed up to $35.00 per student.

Currently the Education Committee of the Assembly is continuing its study of tuition voucher plans and similar approaches to aiding students in nonpublic schools which undoubtedly will result in the introduction of additional proposed legislation.

The following summary indicates that the per pupil cost for services to nonpublic school students is $44 assuming a 100,000 nonpublic school population of Connecticut children.

5

SUMMARY OF PROGRAMS AND SERVICES PROVIDED TO NONPUBLIC SCHOOL PUPILS IN 1971-72

Program	Number of schools	Number of pupils	Grant
State funds:			
Transportation	78	16,070	$296,000
Health and welfare services for nonpublic school pupils	259	(1)	2,700,000
Disadvantaged (compensatory)	181	5,077	371,000
Federal funds:			
School lunch	15	(1)	60,000
ESEA:			
Title I (compensatory)		4,500	500,000
Title II (library)	308	105,000	174,000
Title III (innovative programs)		7,800	321,000
Total			4,422,000

[1] Not available.

REPLIES FROM 63 "INDEPENDENT" SCHOOLS AND 15 "CATHOLIC" HIGH SCHOOLS

Lunch (milk, surplus food)	Yes	No—but eligible	Ineligible
"Independent"	36	7	21
"Catholic"	2	7	6
Total	38	14	27

Title II	Yes	Not applicable	Not eligible
"Independent"	42	17	4
"Catholic"	15	0	0
Total	57	17	4

Title I	School year	Summer	No
"Independent"	0	13	50
"Catholic"	3	1	11
Total	3	14	61

Title III	Yes	No
"Independent"	17	46
"Catholic"	2	13
Total	19	59

Senator PELL. The next witness is Mr. Tom Pearlman, former president of the Hebrew Day Schools and he is accompanied by Prof. Edward Beiser, Political Science Department of Brown University.

STATEMENT OF THOMAS W. PEARLMAN, FORMER PRESIDENT OF THE HEBREW DAY SCHOOLS; ACCOMPANIED BY PROF. EDWARD BEISER, POLITICAL SCIENCE DEPARTMENT OF BROWN UNIVERSITY

Mr. PEARLMAN. Senator and members of the committee, I would just like to make one or two observations and then Professor Beiser will carry the main ball.

I predict that the question of aid to nonpublic schools will be one of the biggest issues of the coming decade and the reason for that is obvious that more and more people are concerned about the breakdown of values and morals, especially among the young. Now, you know, from prior hearings, that there are thousands of Catholic schools and thousands of independent schools. There are also in America for example, 1,200 Protestant, Lutheran Day Schools and over 400 Jewish Day Schools. Now, the typical person might say, why can't the parents teach their children ethics and values. From my observation in today's times, most parents are failing in that regard and cannot do so. In fact, practically every parent will concede to you readily that he is incapable of teaching mathematics or English to a child and when it comes to teaching values and ethics and morality, that is even more difficult a subject.

The Jewish Day Schools or the Jewish schools of America really believed in the afternoon or Sunday day school and they thought that the Catholic day school in America was wrong. Most Jewish educators have now reversed themselves and feel that they cannot do so in the afternoon or Sunday school, and this requires full-time training. We should have known that based on our thousands of years of experience with day schools throughout our history. But, we learned it late. Why is this such an important issue? In my opinion, a thorough understanding and commitment to such things as Thou shalt not steal, or Thy shall honor thy father and mother, or Thou shalt not commit adultery, these things aren't being taught well in any area except the religious schools. We can't have a policeman on every corner, and I say it is a public problem because the very foundation of democracy will fail unless we have a large body of committed young people with intensive understanding and commitment to those values which I believe the religious school teaches at a very young age. I would like to turn the matter now over to Professor Beiser.

Mr. **Beiser**. I appreciate the opportunity to speak to you, this is my first opportunity to meet with you since I came to Brown, and I welcome it very much.

I would like to speak to the topic of the desirability of Federal aid to nonpublic schools. Is it a good thing or not a good thing, and my position is that it is a desirable proposition. I have a prepared statement which I will give to the committee but I would just like to briefly touch on some of this.

Senator **Pell**. It will be printed in the record in full.

Mr. **Beiser**. There are a few items I would like to touch upon and keeping in mind the hour is late, but I want to talk about the Constitution very briefly. Then, I want to speak to what I think is the most serious objection to aid to nonpublic schools. Then, I want to give you three reasons which, for me, are persuasive as to why it is in the Federal Government's interest to provide aid to nonpublic schools. I have a few words about the constitutional question, three quick words, and it is very sad that preoccupation with the constitutional issue takes away from the policy issue of whether it is desirable or not desirable to provide aid to nonpublic schools.

I realize there are constitutional issues to be considered and constitutional law, but I would hope in talking about it that it should not cloud the issue in this area as it too frequently does.

Second, I think it is unquestionably the case that there is a substantial body of professional, legal and scholarly opinions that there are constitutional forms of aid to nonpublic schools. As the first amendment was written or as it is most recently interpreted in Rhode Island school cases, I do want the committee to be quite confident it is dealing with the desirability of aid to parochial schools, and it is in no sense dealing with something which is unconstitutional or sneaking something under the table, and I can provide a substantial list of citations with respect to this. I think it is a bad idea to think that this is fully a constitutional issue. The final point on the issue of Constitution, the measures in my mind are completely constitutional and within the most recent decisions which have touched upon earlier. One is the possibility of tax exemption on tuition payments, and it was touched upon this morning about making a donation to the church or something of that sort. Last year I made a donation to the Providence Hebrew Day School that is tax exempt and this year if I make the tuition payment, that is not tax exempt and the constitutional stand is really the same. I might add, in an educational argument I suggest that such proposals are fully within the meaning of the first amendment even as recently interpreted.

A second constitutional method is the use of what is called voucher or scholarship system combinations. I want to talk about what I think is the most serious objection to the awarding of Federal aid or even State aid to private and particularly to parochial schools. I think the basic objection to public aid to parochial schools and private schools is an objection to the existence of those schools. It is the feeling that separate schools are undemocratic, that they are somehow probigotry and they are somehow undesirable. Some believe that democracy requires someplace where the kids all go to school and then where they pray on the weekends is their business. I think there is serious objection here and I would suggest three kinds of response in my own thinking to the argument that America is a better place if we all go to the same public schools. The first comment on that point is that when I read such arguments I have a sense of reading ancient history. This is a frequent conception of what parochial schools and religious schools are like in America. The fact that Catholic and Protestants fought 100 year war and continue this thinking in education in the year 1971 is totally out of place in this context.

The second point that I would make very briefly, is that proponents of that argument ought to carry it to its full logical extent. If in fact private and parochial schools are undemocratic and if in fact, private and parochial schools promote bigotry and so forth, then we ought not to allow them in our society, just as we do not allow racial oriented schools in our society. We are not a halfway house position on this point. We are going to kill the nonpublic schools and we are slowly strangling them to death financially. It seems to me to be really a very dishonest position to take. If the State certifies them and allows them to exist, the State cannot in good conscience certify them to exist as legitimate educational institutions and then be afraid to fund them.

The final point I would like to make in this context is that on balancing the melting pot we ought to have the same society and democracy that requires that we learn to respect one another's differences, and I would like to develop that to some length because I think it is a crucial point. Why should the Government support nonpublic schools? There are three categories of reasons.

No. 1, they perform a public function and because some of them are religious in the case of parochial schools, it doesn't make the function any less public. There is an example right to the point here. When I was a kid in New York State there was one hospital and it was St. Francis Hospital, by anybody's definition, it was a Roman Catholic Church, with the big cross and every room with a crucifix and Cardinal Spellman's picture was in the lobby. The reason I know this is because I was there for treatment. There were nuns there and a religious institution which I presume was a chapel. That institution should have received public support and I presume it was eligible for it because it performed a public function. If you were hit by a truck, you went to St. Francis, and there is an analogy between the hospital and school, not an exact analogy because there are differences and there are problems, but many different kinds of religious institutions of America perform public services. There is old age, nursing, orphanages, welfare services, youth guidance services, and so on and so on. There are many kinds of things and to pretend that there are two kinds of institutions and the religious one is somewhere in the corner and not performing a public service it seems to me is truly silly. Every teacher of English, every teacher of mathematics, every teacher of physics in a parochial school is in fact relieving, as was demonstrated this morning, a tax burden on the State and it seems that the public function is part of public support.

The second category of reason to be pursued is the appropriateness of aid to private schools and that is an argument from the point of equal fairness and freedom. One of the issues here is double taxation with which we are fully familiar and which I think is a legitimate argument and obligation and I won't develop a second argument since this has been touched upon this morning. We are getting to the point in America where private education is increasingly the prerogative of the rich, not the middle class but the rich. Tuition at the Providence Hebrew runs around $700 a term per student and if you have like three children in Providence Hebrew, it takes $2,100 a year and after taxes that is a big chunk for middle-class people. It is extremely unsatisfactory to have an educational system which says there is freedom of choice for the parents, but only for the very rich parents and the parish and the Hebrew day schools of America give those kind of options to people without means. With the skyrocketing educational costs, it is tougher and tougher every year to do that and it seems to me there is a gross inequity which allows my neighbor on Blackstone Boulevard to decide as to where he will educate his son in terms of particular kinds of ethical teaching and so on and so forth, and those of us in the middle class cannot have those kinds of options.

Finally, the concept of religious freedom in the present situation, the State says to me as follows:

> You have a right under freedom of religion to give your son a religious education, you put him in the kind of school that you want to and if you don't put him in one of our schools, you have to support his secular education by yourself.

The price I have to pay for giving my son the kind of religious traditional education I want for him is to give him at my expense a secular education which my neighbor gets for free from the State because his religious convictions don't require things beyond that which is taught in the public schools. That puts a burden on my exercise of my religious freedom which I think is very unsatisfactory.

I will send my children for the religious training they can't get in a good public school, the religious educational and ethical training that gives them a sense of place and continuity and to me is very important ethical tradition. One who teaches in a good secular university, which I take is what Brown is, I feel very strongly for my own contacts with many students the needs for a child to have those kind of ethical values, in his early education. It is not a choice which I force on other parents, it is a choice that I chose to make for my family and for my children. The present skyrocketing cost of education increasing makes it a burden and ultimately perhaps prohibitive for persons in my kind of situation to give our children what we consider to be important ethical education.

I think the country is a better place with citizens educated in those kinds of traditions and I think it is surely the place of the Federal Government to help us in this problem. I think there is a quotation in the case against the Society of Sisters which is an argument in constitutional law and I bring you one paragraph because I think the Court was suggesting good public policy.

> The fundamental theory of liberty upon which all governments in this union repose excludes any general power of the state to standardize its children by forcing them to accept instruction by public teachers only. The child is not a mere creature of the state. Those who rear them and direct their destiny have the right, coupled with a high duty to recognize and prepare him for additional obligations.

I would suggest that it is fully appropriate for the Congress to help those of us with a sense of obligation, as the Supreme Court spoke about, to provide our children with more than public school rights and to provide and make it possible for us to do so. Thank you, Senator, for the opportunity to speak to your committee. I will be happy to answer any questions.

Senator PELL. Are you a professor not only at Brown but at the local Hebrew day school?

Mr. BEISER. I am a parent at the local school and my authorization, in fact, is as chairman of their board of education.

Senator PELL. Has the school gone up in growth or declined in growth over the last 5 years?

Mr. BEISER. It is now 26 years in Providence and has grown appreciably since the beginning with 40 or 50 and we now have 300 children with a high school division through the 12th grade.

Senator PELL. What has been the tendency in the past 5 years, to grow or to remain static?

Mr. **Beiser**. The high school division is only 4 years old and we have had added the 10th to 13th grade in the last 4 years. As to scholarships at the Hebrew day school, approximately 40 of the students are receiving scholarships and that is a great burden in terms of funds being raised up on the local community and tuition costs have gone up quite appreciably and we are not at all clear that burden will be met.

Senator **Pell**. What is the average cost of education in the high school division?

Mr. **Pearlman**. I think Father Mullen runs a very tight ship and the teachers are at a lower slary than most comparative jobs, but our high school cost is between $1,500 or about $1,500 per pupil. Our elementary cost is about $1,100 and tuition at high school is about $900.

Senator **Pell**. The cost of education is about $1,500 which is a little higher than the State average.

Mr. **Pearlman**. Yes.

Senator **Pell**. Presumably it is a more quality education.

Mr. **Pearlman**. Yes, the students in the high school go from 7 in the morning to 5:45 and it is a very intensive program.

Senator **Pell**. In the last 5 years has your school grown in size?

Mr. **Pearlman**. It has grown in the last 5 years from about 200 to almost 300.

Senator **Pell**. Has the integration of the public schools been responsible in any way with the flight of those parents who can afford it away from the integrated school or not?

Mr. **Beiser**. That is a good and serious question and it bothers me. In the high school division clearly we have a full double program and I don't think anyone else does.

Senator **Pell**. What is a double program?

Mr. **Beiser**. It is a secular program, a completely Hebrew program. That is why it is 7 in the morning to 6 at night and you really have to want to run very far from the integrated public schools to run into that. It is a requirement, a commitment for ethical kind of teaching. Whether there are some people who are using our elementary division as they would use some other private school to run away from the problem of the public school, I presume there are such people. To be very honest, I think it is unfortunate in a school that was founded 26 years ago, not because of the integration of schools.

Senator **Pell**. I am very impressed with the thought that you have a double track where a student follows the regular courses and in addition to that has the religious and Hebrew studies. In other words, when the kids are through and graduated, they can go didirectly, presumably, into second or third year in the university; couldn't they?

Mr. **Beiser**. I think we have 100 percent university attendance from our school and only about one-third of the high schools are doing this. It depends on the kind of things you want and it is a very advanced kind of situation.

Senator **Pell**. I think it would be of very great interest for the record and this hearing if you submit for the record a copy of the curriculum in the high school.

Mr. **Beiser**. I have it here.

Senator **Pell**. Thank you very much.

(The material referred to follows:)

NEW ENGLAND ACADEMY OF TORAH

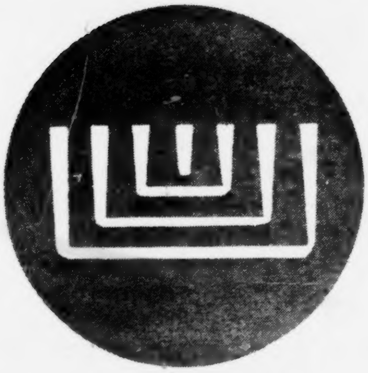
(High School)

and

PROVIDENCE HEBREW DAY SCHOOL

(Elementary and Junior High School)

IN PROFILE



450 Elmgrove Avenue
Providence, Rhode Island 02906

OUR SCHOOL IN PROFILE

Founded: 1946, a member of the National Association of Hebrew Day Schools (Torah Umesorah).

Goal: To help children become good Jews and good Americans through the teaching of history, literature, ethics and ideals of their Jewish heritage together with top quality college preparatory secular education.

Director: Rabbi Norman Cohen, M.Sc. (Physics), Brown University; Graduate of Torah Vadaas Rabbinical Academy.

Faculty: Over 40 full and part-time professionally trained teachers, including several Rabbis, Ph.Ds, Phi Beta Kappas and Professors from nearby colleges.

Enrollment: (approx.) 300 children

Programs: Fully accredited high school, elementary and junior high school, kindergarten and nursery school.

Financial support: Approximately fifty per cent (50%) of income is from tuition and the remainder from contributions from private persons, organizations and foundations. Gifts are encouraged to our scholarship fund, library fund, building fund and endowment fund.

Operating Budget: Approximately $300,000 annually.

Fees and Scholarships: No child is denied this opportunity for financial reasons. Tuition is in line with other New England Day Schools.

Physical Plant: Four buildings form the school complex.

1. A modern elementary school building with top quality science and library facilities is located at 450 Elmgrove Avenue, Providence, Rhode Island.
2. High school classes meet primarily at the adjoining Marvel Gymnasium (by arrangement with Brown University).
3. The nursery school and kindergarten meet in a new $100,000 addition to the main building at 450 Elmgrove Avenue.
4. The high school dormitory - a modern brick building has been provided by friends of the school at 58-60 Taft Avenue, Providence, Rhode Island. It includes a modern library-study, kitchen and dining hall.
5. Full athletic and playground facilities.

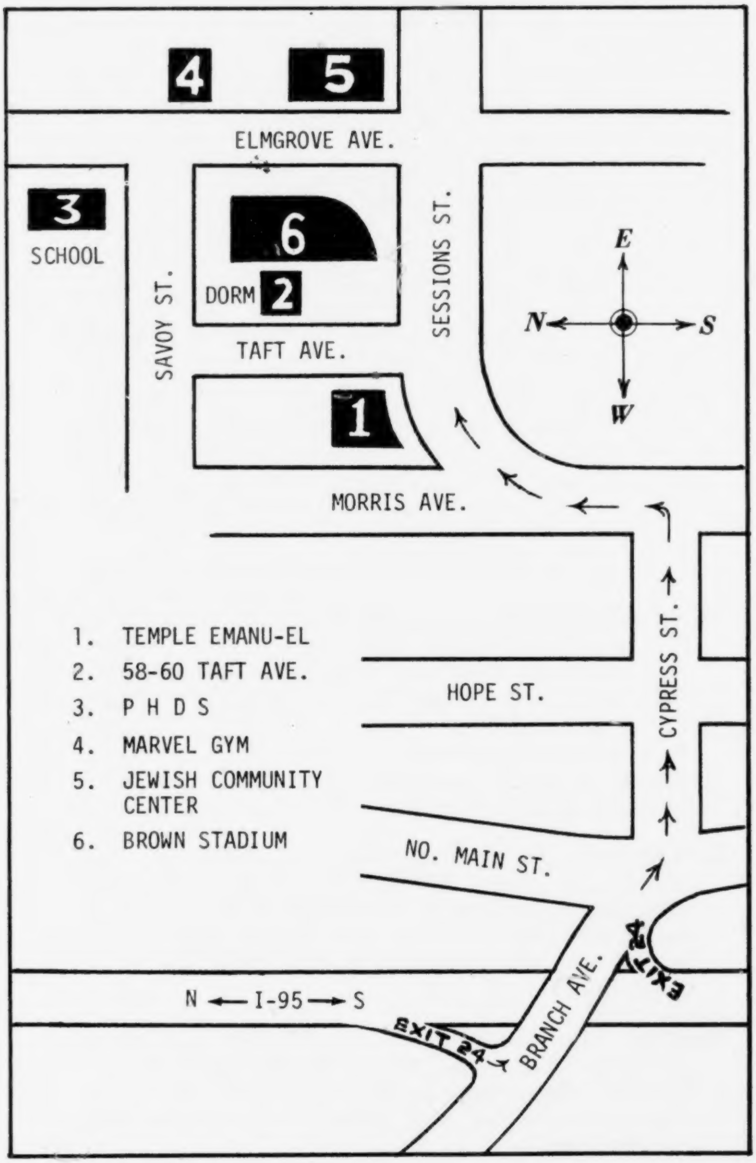
Scholarship Fund: A number of prominent families provide annual scholarships for deserving children, often in memory of dear ones.

Primary scholarship	$175
Term scholarship	$350
Full year scholarship	$700

Please contact the school should you wish to provide a scholarship.

Endowment Fund: Founded in 1967, it has grown to over $150,000 in receipts and pledges. A minimum contribution of $2,500 is required, payable over five years. This is the finest way to perpetuate the memory of a dear one.

Alumni: The alumni include Rhodes Scholars, Woodrow Wilson Scholars, Rabbis, and numerous Phi Beta Kappas among many graduates from Ivy League and other fine colleges and universities.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1. TEMPLE EMANU-EL
2. 58-60 TAFT AVE.
3. P H D S
4. MARVEL GYM
5. JEWISH COMMUNITY CENTER
6. BROWN STADIUM
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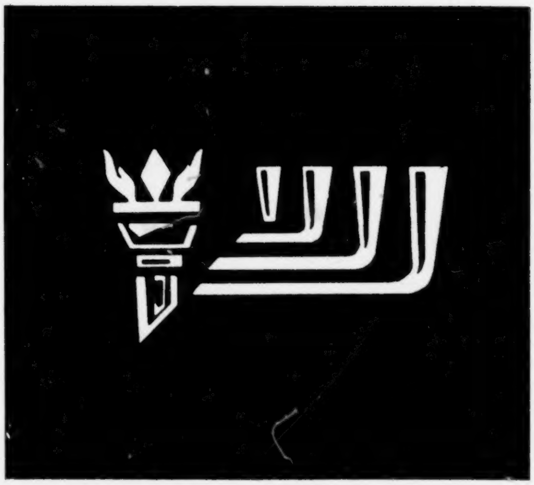
An Adventure
In Higher Learning



PROVIDENCE HEBREW DAY SCHOOL

HIGH SCHOOL DIVISION

PROVIDENCE, RHODE ISLAND

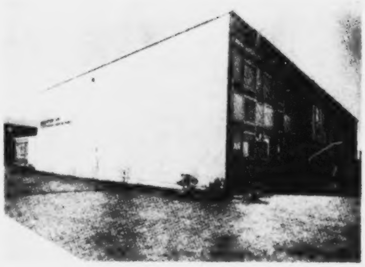
HISTORY

The Providence Hebrew Day School was founded in 1946 by a pioneering group who were dedicated to the ideal that every Jewish child receive a proper and intensive Jewish education and that this education stress morals, ethics, and citizenship as well as religious devotion.

At its inception, its quarters were modest; its student body was less than fifty. In 1947 there were six grades in the school; in 1949 this was expanded to the eighth grade; and in 1960 a complete junior high school with nine grades was established, with 150 students attending. The school has grown to be a well-respected institution of learning and is highly acclaimed for its accomplishments.

In 1968 the Providence Hebrew Day School, Inc. established a senior high school division. At the same time, several individuals formed the New England Academy of Torah, Inc. for the purpose of providing dormitory facilities for both out-of-town students, as well as in-town students who wished a total academic environment.

The first tenth grade class entered the school in September of 1968 and has had an extraordinarily successful year. The eleventh and twelfth grades will be added, with the help of G-d, in September, 1969 and September, 1970 successively.



LOCATION

Centrally located in southern New England and only a few minutes from Interstate 95, the school is situated in the East Side of Providence, a prosperous residential area which is quiet, countrified, and ideally suited for academic pursuits. Its buildings are in the heart of the Jewish community, not far from the proposed new two million dollar Jewish Community Center. There are a number of congregations near the school which make their extensive Judaica collections available to our students, and neighboring institutions of higher learning, such as Brown University, provide library research facilities and intellectual leadership for the community. In addition, there are public libraries, museums, parks and other recreational facilities at convenient distances from the school.

PHILOSOPHY

The primary goal of the school is to produce a student who is an asset both to Judaism and America, a young adult who will function, to his utmost capacity, as a good Jew and good American. To achieve this, the school couples an intensive study program, sacred and secular, with a strong "mussar" and counseling program.

The Religious Studies program is directed toward abstraction of the concepts of our great Jewish heritage which are found in the Torah, Prophets, Talmud and Midrash; updating the terminology, and generating, from these concepts, laws and modes of behavior which are applicable to contemporary life.

Judaism, in its fullest sense, requires a thorough knowledge of the physical world and society. Thus, over and above offering a strong college preparatory secular program, the school endeavors to relate, wherever applicable, these disciplines to the Judaic program.

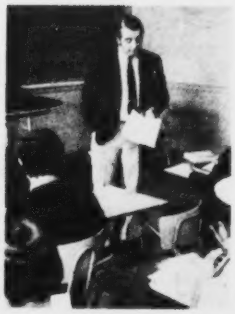
The program does not permit the student to stumble into society; rather, he is trained to understand environment, is shown his place in it, and is directed in a manner which will encourage him to take his proper place in society and contribute to it as much as he possibly can.

The institution, furthermore, aims at creating a true Torah atmosphere within its portals, an atmosphere within which students take pride in scholarship and observance.

FACULTY

The new High School Division has been very successful in attracting top level administrative and faculty members. Most faculty members have Masters degrees, and many are doctoral candidates. They are attracted to the school primarily because it offers them a strong academic atmosphere, where an understanding administration and an interested student body make teaching a satisfying experience.

The faculty functions as a unit and is involved in a constant evaluation of the curriculum; wherever applicable, modern approaches and techniques are implemented. It also meets at regular intervals to discuss the attitudes and progress of the individual student, and to recommend various approaches, assignments and responsibilities that may help the student to best realize his potential.



LABORATORY FACILITIES

Three laboratory courses are offered: Biology, Chemistry and Physics, of which physics is a college level course. The high level of instruction is supplemented by the use of modern facilities, where students working in pairs actually perform experiments, develop proper laboratory techniques, and learn to evaluate data.

THE ARCHIE BELLIN FAMILY LIBRARY

Reference books for research and circulation, books for enrichment and enjoyment are recognized as important for educational development. The school, therefore, has undertaken an ambitious $25,000 library expansion program in order that the library keep pace with the growth of the school.

Students are encouraged and trained to use the library which will be an invaluable tool in their intellectual growth.

RELIGIOUS STUDIES CURRICULUM

The most unique aspect of the high school program is its approach to "Limudei Kodesh". Recognizing that, under the best of circumstances, a student while in high school will cover but an infinitesmal part of Judaica, emphasis is placed upon "Derech" (methodology).

With the emphasis on the Talmudic approach, the student is thoroughly familiarized with Talmudic reasoning, ideology, axioms and assumptions. The method used by "Chazal" in interpreting a Biblical passage is explored.

To acquaint our students with Talmudic reasoning, we offer classes in "Sifra," "Sifri" and "Mechilta." In these books a student learns how a Tanna interpreted scriptures, as well as how he used deductive reasoning to arrive at his conclusions. The student is furthermore exposed to both the Jerusalem Talmud and the Babylonian Talmud, since the two are complementary.

In order to be precise in defining terms and conceptualizing ideas one must have a thorough knowledge of Hebrew grammar. Thus this subject is stressed.

Emphasis is also placed on Nach (Prophets and Scriptures) as well as on Jewish history.

But what is of prime importance is that these subjects are integrated and updated, and that their applicability to the modern world is always pointed out.

COURSE OF STUDY

Grade 9

Math: Geometry or Algebra
English 9
General Science
Government and Ancient History
French I
Sports Program

Grade 10

Math: Algebra II
English 10
Biology
French I or II
World History
  (Medieval and Modern)
Sports Program

Grade 11

*Analytical Geometry and Calculus I
French II or III
American History
Chemistry
English II
Sports Program

Grade 12

*Analytical Geometry and Calculus II
English 12
*Physics
Jewish History
French III or IV
Sports Program

* College Level Courses

DORMITORY FACILITIES

Pleasant dormitory facilities are provided for out of town students and for in-town students who wish to make full use of the programs available. The dormitory is situated one block from the school building, and is supervised 24 hours a day, with a housemother in residence on the premises. The atmosphere is kept informal and homelike. Supervised homework periods are provided, during which a tutor is available to help students with their work. Laundry facilities are available. A staff physician and dentist are on call.

Although the dormitory facilities are primarily intended for senior high school students, under special circumstances New England Academy of Torah will allow boys of junior high school age who wish to attend the junior high division of Providence Hebrew Day School to reside in the dormitory.

POINT OF VIEW:

"OUT of the question! We wouldn't think of sending our children to a Jewish day school."

Does that summarize the sentiment of many Jewish parents? Those who do send their children to a day school can sympathize and understand. A few years ago their response was much the same—one of disinterest, if not hostility, to the idea. Parochial schools of all kinds, the argument ran, were too narrow, separatist, even vaguely un-American.

One mother recalls: "When our older daughter reached school age we registered her at the local public school, a suburban place with good standards. It never entered our minds to do anything else. She did well and she was content.

"Yet when our second child reached school age, we turned to the nearest day school. What made us change our minds? The problems of identity which engulf so many teenagers. The need for high-level education to challenge a bright child. Studies we read about seemed to indicate that a child who is deeply grounded in his own ethnic background is better able to function as an adult in a multi-ethnic society than a child raised in a featureless humanist tradition."

Says another parent: "I had no idea what a modern Jewish day school is really like. My mental picture was still that of the old-style yeshiva. I wasn't aware that the child went to classes each morning and came home every afternoon—just as in a public school—and that his schooling is distinctly divided between secular and Jewish subjects. Sometimes teachers who instruct in secular subjects aren't even Jewish. My daughter had a Miss McBride one year."

Perhaps it's the dedication of the teachers. Maybe it's the high level of pupil ability. But the reading level and other classroom achievements of the day school pupil have been shown—measured by the same national achievement tests used by public schools—to be usually *two-and-a-half years above* the national average. And often higher.

In New York, Jewish day school graduates regularly win a phenomenal number of state Regent college scholarships. In 1963-64, the last year for which statistics exist, 17 per cent of public high school graduates in the state won scholarships; among Jewish day school graduates, an incredible 41 per cent.

"MY greatest surprise," says another mother, "was the kind of parents who send their children to a Jewish day school. I had always thought that only very religious people were interested. But the old idea of the children turning into 'little rabbis' is completely gone. They've discovered that you can teach a child the facts of his religion and give him a strong sense of Zionism and Jewish identity. But he won't be any more or less observant than the home he comes from. Strong religious practice and conviction seem to be characteristic of only about a third of the parents whom I've met."

The other parents who opt for the day school fall roughly into three categories: those with limited Jewish backgrounds who "don't want my children to have to depend on pot and TV and cult living for the mystical experiences of their lives"; those reared in observant Jewish homes who have not, for various reasons, maintained many of the traditions in their adult lives but nonetheless say, "I think my childhood Jewish training equipped me for life. I know who I am. I know 'where I'm at.' I want my children to have the same"; and, finally, those who enroll their children particularly for the high quality of secular education offered in most day schools. The last group may have only a modest interest in having its children learn about Judaism; a school filled with achievement-oriented children, products of educated homes, is what intrigues them.

"Our son was drifting in public school," says one such parent. "He was able to do well with little effort. At the day school he had to learn study habits in order to do well. He has a full and challenging program. He's also discovered that there are lots of other children as bright as he is."

Our own day school daughter, on reaching the seventh grade, was transferred to a suburban public junior high school of excellent reputation. She had neighborhood friends, so social adjustment was not a problem for her. For the first three days of the term, she murmured that her day school sixth-grade had already covered much of the material in her seventh-grade texts. On the fourth day she came home from school and asked, "Can I go back to my old school?"

"Why?" we asked.

"My teacher told me today that even if I don't do a bit of work all term it looks like I'm going to get A in everything. I'll go nuts sitting there all year, listening to what I have already learned. I'd rather work and learn something new."

Back she did go to a day school, happy and grateful.

MORE and more Jewish parents who had never expected to register their children in a day school are changing their minds. From thirty Jewish day schools in 1944, concentrated in or

It's the turned-on parent who sends his child to day school and

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JEWISH DAY SCHOOL?

near New York City, there are now almost four hundred in thirty states and five Canadian provinces. The largest network is banded together as Torah Umesorah, representative of Orthodox Judaism. Conservative Judaism sponsors the Solomon Schechter schools.

Since day schools are scattered geographically, parents are apt to choose the nearest one regardless of its religious ideology. An Orthodox-sponsored school is likely to take in a complete range of parental attitudes—Orthodox, Conservative, Reform.

Perhaps you've noticed the change in your own neighborhood—that it is no longer unusual to know of a number of families who have chosen day school education for their children. From a start of less than 10,000 pupils in 1944, more than 80,000 are now enrolled. If you consider that there are *no* after-school Hebrew classes, *no* Sunday school, the school week becomes shorter for the Jewish child attending day school. He is no longer in classes until 5:30 or 6 in the afternoon. He has more free time for cultural and leisure activities.

Tuitions vary among day schools. Almost all take into account the parents' ability to pay and there are scholarships of all kinds. Against the cost burden must be measured the reward for parents in the character of the personal interest the day school offers their child—something that is rarely equalled in today's public schools. The traditional Jewish view which glorifies each Jewish child as a source of hope and Jewish continuity is reflected in the day school's demanding, yet uniquely warm and personal, environment.

And knowing Hebrew! By the end of his second grade, the day school pupil frequently knows—and speaks—more Hebrew than the average Hebrew school student of bar mitzva age. By the eighth grade he's well on his way to being bilingual.

THE desire for positive Jewish feelings among Jews who in the past might have questioned intensive Jewish education on the ground that it might make one "narrow," is reinforced by new psychological studies which indicate that going to a school of one's own religious or ethnic group helps a child develop a more positive sense of identity—and a sense of inner strength that makes him a more capable participant in the larger society in his adult years.

"Despite extensive folklore to the contrary," reports a study published by the Charles F. Kettering Foundation, "if more Catholics were educated in Catholic schools, more Lutherans in Lutheran schools, more Jews in Jewish schools, more Amish in Amish schools, there might be more national unity rather than less."

Studies among students who had attended Catholic schools found that the experience had no noticeable effect on their subsequent involvement in the community, their choice of neighbors, co-workers or visitors, or even their feelings about choosing friends from their own religious group. Instead, it cites evidence that parochial education seemed to encourage a sense of well-being among them, creating feelings of acceptance for all. Boston, with a lesser network of Catholic schools, has been characterized in a study as having weaker Catholic-Protestant relations than Chicago, where a far higher proportion of Catholic children is enrolled in Catholic schools.

Dr. Bruno Bettelheim, the famed psychologist, has said that a child's awareness of his own ethnic group can be the critical in-between step in his social development. "It is here,'" Dr. Bettelheim says, "that the Catholic, Jewish or Negro child may gain most—in terms of his personal development, his feeling of self worth, of identity—from the specifically Catholic or Jewish or Negro atmosphere, customs and culture he grew up with."

A child deprived of that kind of environment, with feelings that he never "belonged," is in danger of spending his adult years self-consciously seeking an identity, Dr. Bettelheim adds.

In the past, the Jewish child frequently came from a household that had been saturated with Jewishness. Many a present-day Jewish adult spoke more Yiddish than English as a child at home. His sense of Jewish identity came out of that environment. For him, public school attendance was the natural avenue to the American way.

Nowadays the situation is reversed. Even observant Jewish homes are saturated with the richness of secular American life. For the Jewish child, the day school becomes an avenue to secular knowledge and Jewish ethical and religious awareness—a sense of wholeness.

Ludwig Lewisohn summed it up:

> From the Jewish schools will proceed entire human beings aware of their destiny and duty. Will they not also be better citizens of the Republic than the fearful, the uninstructed whom every wind of doctrine can assail? To be entire Jews is for us to be entire human beings, not fragmentary men. . . . It is such men who will contribute to a better society wherever they are.

Would the Jewish day school be the right school for many more of our Jewish children? Would it make them into stronger, psychologically happier adults? It's worth thinking about. ■

his reasons are far from parochial • **SHIRLEY SLOAN FADER**

THE DESIRABILITY OF FEDERAL AID FOR NON-PUBLIC SCHOOLS

Testimony of Professor Edward N. Beiser, Ph.D., Assistant Professor
of Political Science, Brown University, before the Subcommittee
on Education of the Senate Committee on Labor and Welfare.
January 18,1972;Providence,R.I.

Senator Pell, ladies and gentlemen:

I appreciate having the opportunity to present my thoughts on this extremely important subject. I would like to divide my brief remarks into three categories: First, I would like to make a few comments about the constitutional issue. Secondly, I would like to respond to what I consider to be the most serious substantive objection to federal aid for non-public schools -- what I call the "melting pot" argument. Finally I would like to indicate three basic reasons which have led me to conclude that it is desirable for the Federal Government to support non-public educational facilities.

I. The Constitutional Question

The question as to whether federal aid to private, and especially to parochial schools is constitutional has received tremendous attention, and little would be gained by rehashing that material before you this morning. I would, however, suggest three generalizations which I hope may commend themselves to you.

First, I think it is important to keep in mind that the constitutional arguments which one hears in this connection are frequently masks for substantive arguments. That is, people who think it is a bad idea to have parochial schools at all--much less to aid them with governmental funds--frequently invoke a constitutional argument. The late Justice Frankfurter--speaking in a different context--provided some advice which is directly to the point: "Preoccupation by our people with the constitutionality, instead of with the wisdom, of legislation or of executive action is preoccupation with a false value." (Dennis v. United States, 341 U.S. 491, 555 1950). I suggest that while of course it is important that the First Amendment be protected, we ought not get lost in a constitutional smokescreen, and fail to see very important policy choices for precisely what they are: policy choices.

My second point is that in approaching this subject, you should keep in mind that there are an impressive number of constitutional scholars whose strong opinion is that federal aid can be provided to parochial and other private schools without violating the First Amendment, either as written, or as recently interpreted by the Supreme Court. I do not now want to try to convince you that such aid is constitutional; I simply wish to stress that there is a substantial and respectable body of serious scholarly opinion which holds this to be so. Thus your committee need have no concern that a discussion of the merits of such aid is somehow ultra vires. If this point is of serious concern, I would be happy to provide a detailed list of authorities to support my contention.

Third, and finally in this regard, I would like to simply mention two possible forms of federal aid to non-public schools which, in my opinion, are completely constitutional. I do not intend to develop the argument here, but I did want to call them to your attention.

1. If Congress were so disposed, tuition payments might be rendered exempt from federal income taxes. At the present time, a citizen may make a contribution to the church of his choice, and may even designate that the contribution be used to pay the salary of the minister. He may deduct the donation from his taxable income. If that same citizen sends his child to a church-related school, his tuition is paid from taxed income. Surely if the contribution which pays the clergyman can be rendered tax exempt within the meaning of the Constitution, tuition payments to a church-related school are no more suspect. Incidentally, at present, donations to these schools are tax exempt; tuition payments aren't.

2. Federal scholarships to deserving students; a voucher system. The federal government and state governments have for years been providing scholarships and fellowships to college students, many of which have been utilized at church-related institutions. If the federal government were to decide to set up a program to provide financial support directly to students in elementary or high schools, I am quite confident that those grants could be spent in any school of the parents' choice--including a parochial school--without violating the Constitution. A voucher system has the additional attractive feature that it can be tied in to financial need, thus avoiding federal subvention of wealthy citizens. Federal funding of a state scholarship program might well be a fully constitutional mechanism to

provide public support for what I take to be the legitimate desire of some parents to provide alternative types of education for their children.

By mentioning these two possible approaches I do not mean to suggest that a wide variety of other programs might not be created in full compliance with the Constitution.

To reiterate my conclusion: the Constitutional question is by no means closed; it would be sad indeed if our concern for the constitutional issue were to detract us from analyzing the substance of the issue on its merits.

II. The Main Objection: the "melting pot" theory.

I have observed the church-state debate rather carefully for approximately ten years, and I am convinced that what lies behind much of the opposition to public aid for non-public schools is the feeling that private schools, and especially parochial schools, are a bad thing. It is crucial that we face up to the arguments raised by persons who hold this view. Their major concern, I think, is that such schools divide the community; they are inherently undemocratic; they do not teach children to be tolerant of their neighbors; in short, they defeat the American dream of a melting pot, a social situation in which all men learn to be brothers. I must say that there is much to this argument which I find convincing. In addition, I am well aware that in some sections of the nation, private schools are the device used by bigots to avoid racial integration -- a strategem which I deplore. Let me note three responses to this line of argument.

First, the argument that private and parochial schools are "undemocratic" frequently rests on an antiquarian conception of what the schools are like, and indeed, of what religious groups in America are like. We are still fighting the battles of the Inquisition, as it were. I think this is silly. The fact that Protestants fought with Catholics for hundreds of years is, to me, not very convincing evidence of the dangers of schools which are committed to religious ways of life.

Secondly, I think the proponants of this point of view are obliged to develop their position to its full, logical conclusion. If private and parochial schools are socially undesirable in that they promote bigotry, intolerance, and so on, then they ought to be eliminated. If a public school education is a necessary precondition for participation in a democratic society, then all students should be compelled to attend public schools. To say that because non-public schools are socially undesirable we will deny them the support they need if they are to exist, and thereby slowly strangle them to death, is not an honest position. If these schools are detrimental, they should be eliminated, as racially segregated schools are being eliminated. (Needless to say, this is not my conclusion, because I don't accept the major premise.)

Thirdly, on balance, I don't agree that a "melting pot" is a desirable goal for our society. I think true democracy results when we learn to respect each other, despite important differences -- not when we become exact replicas of one another. I would resist the cultural imperialism of the argument that says it is wrong to be different, and that it is the government's function to see that each child comes out the same. The "melting pot" produces mediocrity, not democracy. Many parents may be quite happy with the kind of education provided in the public schools; these schools are fine for such parents. But that does not mean that other perfectly decent parents may not want something more for their children -- the kinds of religious and ethical teaching upon which we agree the state may not intrude. To force these parents into the general secular-humanist mold of the public school strikes me as grossly unfair, and extremely undesirable.

III. Why Should the Government Support Non-public Schools?

Let me turn now to three sets of reasons for which I think it is in the public interest that non-public schools be supported with tax revenues.

1. They perform a public function.

The schools we are discussing fulfill a public function. They give their students a secular education, in addition to the religious education they provide. If these schools did not exist, the state would be obligated to educate these students. I assume your subcommittee has been presented with appropriate statistics demonstrating the nature of this potential burden.

Let me provide one simple analogy, which I think is directly apposite. In Port Jervis, N.Y. -- at least when I was growing up -- there was a religious hospital--St. Francis Hospital. By every definition, that hospital was a religious institution: it had a large cross on its facade; each room had a crucifix; religious statues and pictures abounded; nuns -- in religious garb -- constituted a substantial portion of the staff. But if you were hit by a truck on the streets of Port Jervis, you might be taken to St. Francis, and would be well treated, regardless of religion. I do not know whether that institution received public funds; I am certain that it deserved them. Such public funding would, in a sense, pay the salaries of the nuns; it would free church monies for other purposes: perhaps a chapel would be built with the money the church would otherwise have spent on the hospital. But the public derived benefit from that institution -- that religious institution -- and, I think, the public should be prepared to pay for it.

The analogy between a school and a hospital is not a perfect one, but I think in this context the comparison is fair. Every child educated in a parochial school relieves the pressure on the public schools. Every teacher of English or physics or math who is not paid out of public funds represents a cash saving to the community. The secular programs of the private and parochial schools are accredited by the state, and since the general public derives benefit from them, needed support ought not be held back.

2. Equity, fairness, and freedom.

The parent who chooses to give his child an education which goes beyond the common denominator of the public school is subject to double taxation. This is unfair, and it ought to be remedied. The double taxation argument is well known, and I see no point in repeating it here.

I would like to mention a seperate argument under this heading. I teach many undergraduates at Brown who come from families of means and who have attended expensive prep schools. There are several such schools in the Providence area. To permit non-public schools to function, but to compel them to rely exclusively on private funds, is to say that the rich may choose to educate their children in accordance with their ethical and social views, but that those without really substantial resources may not do so. If we decide that parents who prefer to send their children to Andover or Moses Brown or the like, should be permitted to do so -- indeed, if we feel that freedom requires that they have that option -- I would advocate equal treatment for working class and middle class families who may want to send their children to a parish school or to a Hebrew day school. Parochial schools have given educational choice to parents of modest means. The skyrocketing cost of education threatens to reserve such choice for the very rich.

It is important to keep in mind that the public schools are not value-free. They too have an orientation--a secular and generally humanistic orientation. Freedom of religion means that I have the right to teach my children a different way of life. In fact, unless public funds are forthcoming to support parochial schools, this freedom will be meaningless to men of average income. I agree fully that the sectarian religious teachings of a parochial school should be financed by its supporters. But the present situation requires one who wishes to provide such religious training for his children as part of their regular educational experience to completely subsidize their secular education. I suggest that this places an unfair burden on the free exercise of religious choice.

3. The contribution of non-public schools to the quality of life in America.

I conclude with what for me is the most important argument of all. I think schools with religious committments improve the overall quality of life in our country. Our university campuses contain far too many students who have no sense of direction; who have lost all ties to traditional morality; who are unable to find themselves in our mass culture. I will continue to send my children to the Providence Hebrew Day School because it can provide something which no public school can provide: a religious education;ethical training; a sense of place, of continuity with a great normative tradition. I think this kind of education will make better men of my sons, and I think it will help them to become better citizens. I do not insist that this type of education is appropriate for all children of all parents. But there are those who do feel that it is crucial that the schools which their children attend project normative values. I would respectfully suggest that it is in the enlightened self-interest of the government to make it possible for such parents to give their children the richness of a total, ethical education. It is primarily for this reason that I would urge you, Senator, and your colleagues to alleviate the financial pressures which increasingly preclude this choice.

Senator PELL. The next witness is Mr. Robert Schwartz, coodinator of the Providence Free Schools. We are running a little late, so I would ask all of the witnesses if they will try to compress their remarks to 5 or 10 minutes and we will put the full text in the record for study and perusal by my colleagues and myself.

STATEMENT OF ROBERT SCHWARTZ, COORDINATOR OF PROVIDENCE FREE SCHOOLS

Mr. SCHWARTZ. Thank you for the opportunity to speak here this morning. I understand that this is the first time anyone representing Free School has spoken before this committee.

Senator PELL. That is correct.

Mr. SCHWARTZ. I am glad it has happened here in Rhode Island.

What I want to talk about this morning is why the Providence Free School came into existence, what kind of school it is, its role in the community, and some of its problems. I will try to be as brief as I can.

The Free School was established in Providence in September 1970, as an approved private, nonreligious school, by a group of parents, students, and teachers as an alternative to the then existing public and private schools in the State. Its primary objective was to meet needs of children that were not being satisfied or were being frustrated by these already existing schools. It was set up on the model of A. S. Neill's Summerhill School as a nongraded school with no required classes but a mechanism for providing the students with a wide variety of courses and activities taught in again, a wide variety of ways, from which they could make their own choices of what they were to learn and how they were to do so, as well as ample opportunity for sponteniety and creativity. They could then progress at their own pace and pursue their own special interests without such artificial restrictions as grade levels and a regimented curriculum. The school tries to provide, for example, a 10-year-old child who wants to pursue astronomy, the opportunity to do so, or one who is interested in drama, or music, or auto mechanics, a stimulating environment in which to pursue these interests. Adults guide the students in these interests, or students learn together, or from each other. Also, a mechanism is provided in the school whereby students can learn and develop their own sense of self-discipline and regulations—that of A. S. Neill's general school meeting where decisions are made by all those participating. Equally important as these matters of the interstructure of the school, is the idea of the school as a self-governing and self-administering body. The basic idea was that the school would be governed by the school community—the parents, teachers, students, and volunteers from the city, each having an equal say in the major decisions of the school and each sharing, according to their ability, in the responsibilities of operating the school.

All major decisions of the school are made town-meeting style by those participating in the school at regular business meetings, chaired by an elected chairman. In practice we have found that the school not only offers children a multitude of different sorts of learning experiences, but also an opportunity to develop his own sense of identity and self-worth.

To make this school a viable alternative, it's founders believed that opportunity must be made available for all children to attend the school. Thus, unlike the other private schools in the State, the Free School, in its first year, attempted to run tuition free with its doors open to all on a first-come first-served basis, until the maximum number of students it could accommodate was achieved.

In its first year the school had a well balanced school population of 45 children, with four full-time teachers, and a staff of about 40 part-time volunteers. This year the school has expanded to 65 children because of the demands, has five full-time teachers, and a staff of two full-time volunteers, and again about 40 part-time volunteers. It has proved to be a rewarding and exciting educational experience for all those involved—parents, students, teachers, and volunteers—and has been a place where experimentation and innovation in education has been encouraged and thrived. Parents have responded by saying things like the following: "This is the best thing that has ever happened to me and my children."

Having experienced the Providence Free School from its beginning I feel strongly that schools of this sort, made available to all children in a system of alternatives to existing forms of education, are the only hope of the city. There are schools which can reach inner city children in a multitude of ways that most large existing schools, public, parochial and nonparochial private schools do not and probably cannot because of the structures they are embedded in and the external constraints they are under. As testimony to this in Rhode Island, I can site a growing awareness of open schooling as a genuine option for parents and kids, where only 3 years ago one found a mood of defeatism and frustration about education. The Providence Free School is constantly visited by community people and educators. It has an unsolicited waiting list of over 40 students. Groups in North Kingston, Tiverton, as well as from Fall River and New Bedford, Mass., have been stimulated to try to set up similar schools. Because it has become obvious that nowhere near the 40 students on our waiting list will be able to get into the free school, we are working with the parents on the waiting list, as well as with other parents and teachers, to try to establish another alternative school in the Greater Providence area, possibly even two more. The school is now attempting to initiate a low cost adult education program in Providence, and is working with its sister school, the alternative learning project, an experimental alternative high school run by the city of Providence, on a project to develop a resource center in alternative education that can serve to help disseminate successful results to already existing schools. Responses to these two possibilities have been more than enthusiastic.

But, it may be thought, I have been painting too rosy a picture. Surely not everything done in the school has been that successful. And indeed it hasn't. Everything I have said is true, though. There have, of course, been those internal disagreements that are part of the ongoing process of the development of the school, and there have been attempts within the school that have failed. But what I haven't said so far is that luck has been on our side and we have managed to survive even the 18 months we have been in existence. It has been estimated that the average life of a free school is 24 months in a recent study. There are some 400 to 500 now in the United States, three-fourths started in the last 2 years, serving about 15,000 students. Yet, from a relative point of view, there are not that many more than a few years ago. Why do schools which are supposed to have such great appeal and educational successes fail? There are various reasons. First, anything new and set up as an alternative to currently existing forms is bound to be met with not much enthusiasm by most who work in these traditional schools and have been doing so for so long. Without at least tacit support from those working in public education and from the community at large, such schools become islands that often cannot withstand the barrage of criticisms offered against them. But second, there is the inevitable financial plight of such schools. Our school, I said, started as a school which attempted to provide a viable alternative to any child who wished to come, regardless of the financial status of the parents. In this, I much admit, we are rather idealistic. There are still teachers to pay, rent, supplies to buy, et cetera. We tried to operate on donations alone and were unable to get city, State, or Federal support in the project, and found that foundations we appealed to for financial stability said that they could not help financial unstable operations like ours. We were able to pay our teachers the deplorably low salary of only $1,500 the first year.

Despite our strong feelings about charging a tuition we were forced to institute a modest one of $500 a year when it came obvious that no matter how educationally successful the school was, without a stable financial base we would fail. We have tried to retain our admissions policy in the face of this, and still have as a principle that no student will be turned away whose parents cannot afford to pay $500. I do not know how many people have been scared away by the $500 figure. A tuition reduction committee grants reductions in cases of need. Currently 25 of our 65 students are on full tuition with 40 percent on reduced tuition, and many pay no tuition at all. We still cannot pay our teachers more than $1,500 per year and our rent is one-third of our total financial resources. We have very little money for supplies. There are those who say that this really does not matter since the school then has to go out into the city to raise donations for supplies. The children, especially, have learned a tremendous amount about their city in this way—its resources, its great surplus, its mode of distribution, and the great waste there is. One learning experience has been substituted for another that they might have had, had we fancy equipment in the school. I feel that there is some truth in this, but there experience would certainly be enriched still further if they did have those things they need in the school that they have not been able to raise in this way.

As much of an educational success as our school has been, I feel that we are still in existence today because of our good fortune in having a strong group of determined people involved in the school, the availability of a great many dedicated, qualified teachers who are willing to work in alternative education projects for next to nothing, many of them want this because they are so alienated from public education, and our good fortune just to mention one example, at finding someone to let us use a building for the school last spring when the one we were in burned down. Alternative schools like ours are one of the few places in the country today where real experimentation and innovation in education can take place. But how can schools be judged as successful experiments if, because of financial problems, they never even have the chance to come close to practicing the ideals they espouse? I believe that these alternative schools are so essential to urban education today that some means must be found of public support for them that they will not compromise their autonomy and allow them to continue to be places where real educational experiments can take place.

Senator PELL. What is the age bracket of children in your school?

Mr. SCHWARTZ. Kindergarten through eighth; so five through 13 or 14.

Senator PELL. It is a school that is accredited, they can go there without——

Mr. SCHWARTZ. It is approved by the city of Providence as a private school.

Senator PELL. What is the cost of education for your students?

Mr. SCHWARTZ. Well, it is difficult to say. I would say about $300 per student.

Senator PELL. Do they participate in any Federal school lunch program or title I or title II, books and things of that sort?

Mr. SCHWARTZ. Just the school lunch program. We get city busing and no other Federal programs.

Senator PELL. Is this designed really for what is called the exceptional children, exceptionally intelligent children?

Mr. SCHWARTZ. It is really designed for exceptional children, children who have problems in public schools and a wide variety of children. Children who in their grades in public school can't do the kind of things they are really interested in.

Senator PELL. In other words, not those who are having trouble because they are retarded children, but because they are too advanced?

Mr. SCHWARTZ. Right. A lot of children in our school have had trouble in the public schools because of that reason. Some also not because they are too advanced but because they are interested in a wide variety of different things that they just can't get in the public schools.

Senator PELL. You can't be too advanced. Do you have any black children?

Mr. SCHWARTZ. We have about 20 or 25 percent black children in the school. I am not sure of the exact number.

Senator PELL. As far as you know, you will be able to continue for another year or two, on the ropes though?

Mr. SCHWARTZ. Well I think the school is here to stay, because I think that there are going to be many teachers available who will come and teach for that amount of money, but it is a great disservice to these teachers who really usually work much harder and put in many more hours than the ordinary public teacher to pay them that amount.

Senator PELL. Do you have a school library?

Mr. SCHWARTZ. We have a school library and we have built it up mainly through donations of books.

Senator PELL. Have you tried to get some under the title II program?

Mr. SCHWARTZ. I think that we have somebody working on that now.

Senator PELL. It has been very interesting indeed and I thank you for your presentation and coming here today.

(The prepared statement of Mr. Schwartz follows:)

The Providence Free School as an Educational Alternative

by

Robert Schwartz

Today I'd like to talk about why the Providence Free School came into existence, what kind of school it is, its role in the community, and some of its problems.

The Free School was established in Providence in September, 1970, as an approved private, non-religious school, by a group of parents, students, and teachers as an alternative to the then-existing public and private schools in the state. Its primary objective was to meet needs of children that were not being satisfied or were being frustrated by these already existing schools. It was set up on the model of A.S. Neill's Summerhill School as a non-graded school with no required classes, but a mechanism for providing the students with a wide variety of courses and activities taught in again a wide variety of ways, as well as ample opportunity for spontaniety and creativity. They could then progress at their own pace and pursue their own special interests without such artificial restrictions as grade levels and a regimented curriculum. The school tries to provide, for example, a ten year old child who wants to pursue astronomy the opportunity to do so, or one who is interested in drama, or music, or auto-mechanics, a stimulating environment in which to pursue these interests. Adults guide the students in these interests, or students learn together, or from each other. Also, a mechanism is provided in the school whereby students can learn and develop their own sense of self-discipline and regulation -- that of A.S. Neill's general school meeting where decisions are made by all those participating. Equally important as these matters of the internal structure of the school is the idea of the school as a self-governing and self-administering body. The basic idea was that the school would be governed by the school community -- the parents, teachers, students, and volunteers from the city, each having an equal say in the major decisions of the school and each sharing, according to their abilities, in the responsibilities of operating the school. All major decisions of the school are made town-meeting style by those participating in the school at regular business meetings chaired by an elected chairman. In practice we have found that the school not only offers children a multitude of different sorts of learning experiences, but also an opportunity to develop his own sense of identity and self-worth.

To make the school a viable alternative, its founders believed that opportunity must be made available for all children to attend the school. Thus, unlike the other private schools in the state, the Free School, in its first year, attempted to run tuition-free with its doors open to all on a first-come-first-served basis until the maximum number of students it could accommodate was achieved.

In its first year the school had a well-balanced school population of 45 children, with four full-time teachers, and a staff of about 40 part-time volunteers. This year the school has expanded to 65 children because of the demand, has five full-time teachers, and a staff of two full-time volunteers, and again about 40 part-time volunteers. It has proved to be a rewarding and exciting educational experience for all those involved -- parents, students, teachers, and volunteers -- and has been a place where experimentation and innovation in education have been encouraged and thrived. Parents have responded by saying things like: "This is the best thing that has ever happened to me and my children".

Having experienced the Providence Free School from its beginning I feel strongly that schools of this sort, made available to all children in a system of alternatives to existing forms of education, are the only hope of the cities. They are schools which can reach inner-city children in a multitude of ways that most large existing schools, public, parochial, and non-parochial private schools do not and probably cannot because of the structures they are embedded in and the external constraints they are under. As testimony to this in Rhode Island, I can cite a growing awareness of open-schooling as a genuine option for parents and kids, where only three years ago one found a mood of defeatism and frustration about education. The Providence Free School is constantly visited by community people and educators. It has an unsolicited waiting list of over 40 students. Groups in North Kingston, Tiverton, as well as from Fall River and New Bedford, Massachusetts have been stimulated to try to set up similar schools. Because it has become obvious that nowhere near the 40 students on our waiting list will be able to get into the Free School, we are working with the parents on the waiting list, as well as with other parents and teachers, to try to establish another alternative school in the greater-Providence area, possibly even two more. The school is now attempting to initiate a low cost adult education program in Providence, and is working with its sister school, the Alternative Learning Project, an experimental alternative high-school run by the city of Providence, on a project to develop a resource center in alternative education that can serve to help disseminate successful results to already existing schools. Responses to these two possibilities have been more than enthusiastic.

But, it may be thought, I have been painting too rosey a picture. Surely not everything done in the school has been that successful. And indeed it hasn't. Everything I have said _is_ true, though. There have, of course, been those internal disagreements that are part of the ongoing process of the development of the school, and there have been attempts within the school that have failed. But what I haven't said so far is that luck has been on our side and we have managed to survive even the eighteen months we have been in existence. It has been estimated that the average life of a free school is 18 months. There are some 400 to 500 now in the United States, 3/4 started in the last two years, serving about 15,000 students. (Statistics available in a recent report submitted to the Dept. of Health, Education, and Welfare. Consult Mr. Michael Timpane). Why do schools which are supposed to have such great appeal and educational successes fail? There are various reasons. First, anything new and set up as an alternative to currently existing forms is bound to be met with not much enthusiasm by most who work in these traditional schools and have been doing so for so long. Without at least tacit support from those working in public education and from the community at large such schools become islands that often cannot withstand the barrage of criticisms offered against them. But second, there is the inevitable financial plight of such schools. Our school, I said, started as a school which attempted to provide a viable alternative to any child who wished to come, regardless of the financial status of the parents. In this, I must admit, we were rather idealistic. There are still teachers to pay, rent, supplies to buy, etc. We tried to operate on donations alone and were unable to get city, state, or federal support in the project, and found that foundations we appealed to for financial stability said that they could not help financially unstable operations like ours. We were able to pay our teachers the deplorably low salary of only $1500 the first year. Despite our strong feelings about charging a tuition, we were forced to institute a modest one of $500/year when it became obvious that no matter how educationally successful the school was, without a stable financial base we would fail. We have tried to retain our admissions policy in the face of this, and still have as a principle that no student will be turned away whose parents cannot afford to pay $500. I do not know how many people have been scared away by the $500 figure. A tuition reduction committee grants reductions in cases of need. Currently 25 of our 65 students are on full tuition with 40 on reduced tuition, and many pay no tuition at all. We still cannot pay our teachers more than $1500 per year and our rent is 1/3 of our total financial resources. We have very little money for supplies. (There are those who say that this really does not matter since the school then has to go out into the city to raise donations of supplies. The children, especially, have learned a tremendous amount about their city in this way -- its resources, its great surpluses, its mode of distribution, and the great waste there is. One learning experience has been substituted for another that they might have had had we fancy equipment in the school. I feel that there is some truth in this, but their experience would certainly be enriched still further if they did have those things they need in the school that they have not been able to raise in this way.) As much of an educational success as our school has been, I feel that we are still in existence today because of our good fortune in having a strong group of determined people involved in the school, the availability of a great many dedicated qualified teachers who are willing to work in alternative education projects for next to nothing (many of them want this because they are so alienated from public education) and our good fortune, just to mention one example, at finding someone to let us use a building for the school last spring when the one we were in burned down. Alternative schools like ours are one of the few places in the country today where real experimentation and innovation in education can take place. But how can schools be judged as successful experiments if, because of financial problems, they never even have the chance to come close to practicing the ideals they espouse? I believe that these alternative schools are so essential to urban education today that some means must be found of public support for them that will not compromise their autonomy and allow them to continue to be places where real educational experiments can take place.

Robert J. Swartz
Assoc. Professor of Philosophy
Brown University

Chairman, Providence Free School,
Jan., 1972

Senator PELL. Our next speaker will be Mr. Allen Shine representing the Rhode Island Affiliate of the American Civil Liberties Union.

Mr. STANZLER. Mr. Shine has asked me to take his place because he is engaged in court. I do appreciate the opportunity to appear before you, Senator. I am speaking on behalf of the Rhode Island affiliate of the American Civil Liberties Union——

Senator PELL. I see on the list Mrs. Mildred Stanzler, your wife. Would it be appropriate if you both came together to testify on the same thing?

Mr. STANZLER. She is speaking in a different direction, I think. I think that the committee and the Senate knows the position of the American Civil Liberties Union but I would just speak briefly on our position.

STATEMENT BY MILTON STANZLER REPRESENTING ALLEN SHINE OF THE RHODE ISLAND AFFILIATE OF THE AMERICAN CIVIL LIBERTIES UNION

Mr. STANZLER. Since 1920, the American Civil Liberties Union has been dedicated to the preservation of those rights and liberties guaranteed by the first 10 amendments to the U.S. Constitution. Since 1959, the Rhode Island Affiliate of the American Civil Liberties Union has been dedicated to "eternal vigilence" in the application of those guarantees to individuals, as well as to the public weal.

In our efforts to preserve our constitutional system and the way of life guaranteed by the wisdom of our founders, in creating a viable democracy that will benefit all the people, many organizations, as well as many people have responded negatively to our actions, particularly when we have challenged their self-interests. However, we attempt to remain dedicated, not being in the business of seeking popularity nor participation in political contests.

One area that has commanded a considerable amount of effort and time of our limited resources has been to insure that Congress and all other governmental bodies shall make no law respecting the establishment of religion.

History records the whys and wherefors of the first clause of the first amendment. However, today, one need not even look at history to recognize the wisdom of this provision. One need only read daily newspapers, listen to radio and television and thus reassure themselves that in this country, because of this clause, we can be sure that religious fratricide will not occur.

While we have long been aware of and sympathetic to the difficulties confronting the maintenance of private and parochial schools in their struggle to continue to exist and serve their particular needs, we cannot help but resist any in-roads that result in whittling away of fundamental constitutional guarantees. I am certain that the Senator and his committee are aware of the constitutional problems involved in attempting to devise legislation that will benefit these schools and at this juncture I include nonreligious private schools for any system of supporting these schools nationally may well run into a support of private schools created for the purpose of aiding those who seek to avoid constitutionally mandated integrated schools. Thus, the problems of the committee are myriad and offer no easy solution, if indeed, any solution.

Two points should be further noted: in the decision written by Chief Justice Burger striking down Rhode Island and Pennsylvania systems of aid to religious schools last summer, he noted in effect that the question of aid to religious schools results in political questions that bring about a divisiveness amongst our peoples because of our religious differences. This factor alone would make any support unconstitutional and for very obvious reasons.

Second, it should be noted and particularly by those who cherish private and parochial schools that once a governmental program is enacted and aid is given in whatever form and by whatever device there necessarily flows some form of governmental control or entanglement, which will affect the very reason for the schools existence, and more so in the case of religious schools for the guarantee of religious freedom set forth in the second clause of the first amendment will undoubtedly be affected thereby. I need to say that compromise must be made in order to achieve some of the public aid which often results in some of the lessening of the reasons for the existence of the parochial schools; that is, their opportunity to conduct their religious teachings. I personally over the years, Senator, now almost 20 years observed in this area and have participated in it and as I said I have spoken and I have been anxious to set forth a position with respect to the public school system. The public school system as you indicated in one of your questions before to Mr. Beiser, the fact that some people are leaving the public schools in attempting to run away from the implications and burdens of public schools. This is not an easy problem and it is something which I have observed and is indeed an unfortunate situation. I believe the fact that the public schools themselves don't have the sufficient means wherein to bring about the kind of educational system which will insure, prevent, and eliminate the reason for people running away from the public schools and I leave the best to Mrs. Stanzler. Thank you, Senator.

Senator Pell. Thank you. You have long been in the forefront of many public projects to keep the Constitution pure and the civil rights of all of our citizens available to them. In this regard I am wondering what your own view is with regard to the cooperative educational programs between public and nonpublic schools, shared time and things of that sort, both with regard to the constitutionality and with regard to the matter of public policy?

Mr. Stanzler. The shared time is constitutionally a serious question. Having observed and having worked rather with a case that went before the Supreme Court, of which I argued part, and having studied the decision very carefully, I would submit that there should be some device and some means whereby elimination of the very things unfortunately that parochial schools hold dear there can be a system effected which would enable the support of the various areas of the secular aspects of schools and it may be possible to do that, however, as much as I see the validity in that sort of approach and the devices that can be established again, it is a sacrifice on the other hand from the public point of view, the school point of view. I think that would tend to bring about another problem; that is, the private schools even if our voucher system or even if you have a device which I might have in mind after my study of these cases, to some form of shared-time procedure can be constitutionally valid. Now, whether you might then run into the problem dealing with those who are unable to attend the private schools on such a voucher system may not be sufficient for the education of that individual, the selection of schools through voucher system and there the urban schools would be weakened and they would become segregated schools. This may result in further litigation such as we see now coming from Richmond, whereby a Federal judge in Richmond has ordered the bringing together of the urban and suburban school districts so as to eliminate the segregation. The great difficulty is that as a result of all these things we can find that the public school system will be weakened to the extent that it will become segregated and everybody will be running to seek the private schools and may find because of that kind of education that they would like to have it because it is being paid for by the public. I can very well understand the problems that people face, but because of my long involvement in this situation I certainly don't have all the answers to it nor does anybody else. I fear the fact that what will be really sacrificed will be the public schools.

Senator **Pell**. I am well aware of, and the subcommittee is well aware of the problem of the flight from certain schools as being one of the reasons why we have to take precautions here. We do not want to see the public assistance go to the freedom academys in the South set up to avoid integration. This is one of the problems that we face with rules and laws universally applicable and what is good for one part of the country can have a different effect in another part of the country. We will support a trust that is given in a State system here in Rhode Island whereas the same trust that was given in Alabama or Mississippi may be very harmful and may make a difference. What is your view with regard to the child, black or white, who is bused by one or two neighborhood schools that they would like to go to in order to achieve a judicial order for integration. Aren't the civil rights of that child being violated by not being brought to school en route?

Mr. **Stanzler**. I don't think so. I am used to seeing the judge up in the courtroom, Senator, and I don't think that the right of the child is being affected by being bused by that school. I think that is attaining generally the mandates of the courts, the objective of achieving the integrated school and he will be participating in assuring greater civil liberties if he does participate. I don't at all agree with Mr. Beiser's views. I respect them considerably just as I didn't agree with those people who have long advocated that they have been denied their right to exercise their religious liberty freely because they cannot send their children to a parochial school, they have not been able to afford the tuition of parochial schools and that is a bit of the argument that Mr. Beiser made. This is the equivalent to the suggestion that the civil rights of an individual who was passed by in a particular school to go to another is denied and this is not so. This school system is something which is created and fostered by the public school authority and private school as they see fit and this is deemed to be the method which they can achieve their education and they are not in any way being denied any of their rights, I think, legally or constitutionally if they are not permitted to go to that particular school.

Senator PELL. Thank you very much.

Senator PELL. Our next witness is Mr. Bernardino Delgado, president of the Providence branch of NAACP.

STATEMENT OF BERNARDINO DELGADO, PRESIDENT OF THE PROVIDENCE BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

Mr. DELGADO. As to the aid directly to the schools or indirectly such as the voucher system I would like to speak to that on the following reasons.

Such aid will, in effect, result in many instances in tax benefit to segregated schools. We realize there may be some serious promises to institute programs in some schools to insure integration, however, as we look through the Nation it is at least extremely difficult to establish and maintain and this seems to be the only tax supported one in which we understand that this hearing is supposed to deal with primarily. We believe with this program which is permanent in one State would at least be attempted in another State and possibly with various adverse effects on the public school size in that area. Further the existence of private schools are guaranteed in some form. Public assistance can be no barrier to the establishment of numerous new private schools all of which may result in extreme racial segregation.

In the particular case of Providence where we feel the local public school officials have made progress, we would deem it highly advisable and in fact grossly unfair for the city of Providence to overtax supported alternatives to existing integrated public schools in the city of Providence. We believe that every child should have a right to equal education, and we believe the public aid to private schooling may result in serious infringement of that right. Thank you.

Senator PELL. Thank you very much. I believe the degree of integration in some of the private schools in the State is greater than in some of the public schools.

Mr. DELGADO. The statistics I wouldn't know but I know that the public schools are trying, you know, we are talking to these people and there are certain things they don't like in private schools and we believe this is discriminatory.

Senator PELL. What is your view to what we should do with regard to the problem now where one-third or one-fourth of our students are going to be in private schools, nonpublic schools?

Mr. DELGADO. A lot of them are running away and going to the suburbs and this is causing discrimination.

Senator PELL. They're going to public schools in the suburbs.

Mr. DELGADO. Moving from the intercity to the suburbs.

Senator PELL. The number of people in nonpublic schools is less now than it was and it is going down each year, but one-third of our children used to be in nonpublic schools and we now have a quarter of our children in nonpublic schools and maybe in 10 years one-fifth of our children in them.

Mr. DELGADO. I don't believe that there is the integration in private schools that there is in public schools.

Senator PELL. What do you think should be done to handle this problem if the private schools, the nonpublic schools close down completely, it would make a tremendous load on the tax structure.

Mr. DELGADO. They haven't done this as yet, I can't say.

Senator PELL. Thank you very much, Mr. Delgado.

Our next speaker is Mrs. Raymond Loffredo, president of the Save Catholic Education Committee and she is accompanied by Mr. Anton E. Langhammer, Mrs. Gloria Lefoley, Mr. Robert P. Brolan and Mrs. Shirley Hewitt.

Mrs. Loffredo, why don't you lead off. I can assure you if you digress from the printed statements they will be printed in the record in full.

STATEMENT OF MRS. RAYMOND LOFFREDO, PRESIDENT OF SAVE CATHOLIC EDUCATION COMMITTEE; ACCOMPANIED BY ANTON E. LANGHAMMER, MRS. GLORIA LEFOLEY, ROBERT P. BROLAN AND MRS. SHIRLEY HEWITT

Mrs. LOFFREDO. Senator, I would like to thank you for extending the invitation to our group to appear here this morning. I would like to talk about children attending private schools.

We believe in all the freedoms this country gives us. One of the freedoms so often mentioned is "Freedom of choice." So it is my opinion with freedom of choice that the parent, and in some instances the student, has a choice as to which school he will attend. We believe all students are entitled to equal tax dollars and educational benefit. I think that as a citizen, taxpayer, and parent I should have the right and choice to say where my portion of tax money for educational benefits will go for my child. I feel it is unconstitutional to me as a citizen, taxpayer, and parent not to have my portion of tax money set aside for quality education given my child in a nonpublic school. I believe the State should recognize the fact that as a parent, I have the right and freedom to educate my child according to what I believe is the best education consisting of not just course content, but values and the development of the whole child.

Many times one will say that the private or nonpublic schoolchild is in a privileged class, but is it not fair to reverse the tables and now consider the public school student as the privileged class. It is the public school student who is getting the "whole" tax dollar distribution. The tax dollar and educational benefit should be for all students. I believe that unless we educate the whole man, we have no education at all. So, as you can see by my last statement, why I made my choice that the nonpublic schools was the best way to educate my child.

I understand that the President's panel is to consider the reimbursement of the parents of private schoolchildren for their education expenses and I understand the panel was established in March of 1970 and also there will be a final recommendation due to the public by the Commissioner on March 3, 1972. Can you shed any light on that?

Senator PELL. I know the report will come out but I do not know what the contents of it are nor what the President's intention is. I do know that the purpose of this hearing is to carry out the words of the President which he spoke at the Alfred Smith dinner about a year ago when he remarked on the plight of the nonpublic schools and wanted to help them.

(The prepared statement of Mrs. Loffredo follows:)

PREPARED STATEMENT OF MRS. RAYMOND LOFFREDO, PRESIDENT, SAVE CATHOLIC EDUCATION COMMITTEE, WARWICK, R.I.

Gentlemen, we believe in all the freedoms this country gives us. One of the freedoms so often mentioned is "freedom of choice". So it is my opinion with freedom of choice that the parent, and in some instances the student, has a choice as to which school he will attend.

We believe all students are entitled to equal tax dollars and educational benefits.

I think that as a citizen, taxpayer, and parent I should have the right and choice to say where my portion of tax money for educational benefits will go for my child.

I feel it is unconstitutional to me as a citizen, taxpayer, and parent not to have my portion of tax money set aside for quality education given my child in a non-public school.

I believe the state should recognize the fact that as a parent, I have the right and freedom to educate my child according to what I believe is the best education consisting of not just course content, but values and the development of the whole child.

Many times one will say that the private or non-public school child is in a privileged class, but is it not fair to reverse the tables and now consider the public school student as the privileged class. It is the public school student who is getting the "whole" tax dollar distribution. The tax dollar and educational benefit should be for all students.

I believe that unless we educate the whole man, we have no education at all.

So as you can see by my last statement, why I made my choice that the nonpublic school was the best way to educate my child.

Senator PELL. Our next speaker will be Mr. Langhammer.

Mr. LANGHAMMER. Thank you, Senator. I want to thank you for permitting me to speak and I think it might be appropriate for me to indicate that I speak basically not as a professional as most of our predecessors have spoken, but as an individual, as a voter, a taxpayer and a parent. I would like to mention that I am a member of the Warkick-North Kingston-East Greenwich Regional Catholic School board. I am also a member of the Bishop Henricks Council and I think this would indicate at least our interest and involvement in education.

Now, then how do people like myself feel about the educational picture? We believe, simply stated, that all students are entitled to fair and just distribution of the educational tax dollar. Regardless of race, color or religion, and regardless of whether they attend a public or a nonpublic school, they are all individual student citizens entitled to equitable treatment.

The law states that all children up to a certain age must attend an accredited school. Let us note that the schools which have been accredited include both public and nonpublic schools. Presumably this means that parents have a choice as to which school their children will attend. But do they really? Any system of choice which results in receiving or not receiving a share of the educational tax dollar and the accompanying educational benefits depending on how that choice is exercised is a hollow sham. A choice like that is no choice. And, it is most unfair to tell people, "If you don't like it, send your children to a public school." This is choice?

A community where, for instance, the per pupil cost of education in the public schools is $800 or $900 annually, or whatever, and where the per pupil cost to that same community of educating students in its nonpublic schools is zero, is not running an equitable establishment. It is just as wrong to consider public school students a privileged class as to consider the nonpublic school segment privileged. The educational tax dollar and educational benefits are for all students.

Why indeed do we send our children to nonpublic schools? It is not that we consider nonpublic schools better or superior; we consider that many public school systems are excellent. But, we do have our own ideas as to just what constitutes "total education." Total education consists of not just course content alone, but course content plus values. Course content by itself is sterile. The larger framework involves the whole person, a creature who is moral as well as mental and physical.

A public schools system which shivers and shakes at the thought of a daily prayer is not going to care much beyond the mere acquisition of knowledge. So, we exercise our choice inherent in our role as parents, and chose nonpublic schools. We want our children to be knowledgeable in what we consider a moral context. We are not ashamed to let God impinge on the educational process. After all, He impinges on our very lives. Do we seek benefits or financial aid for any particular schools? Definitely not. We think it is a serious error to seek specific benefits or financial aid for Catholic schools, for instance, or for Lutheran schools, or whatever. We know all about separation of church and state. We do not seek aid for any particular schools, nor do we seek benefits exclusively for certain children of any specific religion or group. We seek this aid and benefits for all students.

Let's pose a question. Let's suppose that this "fair shake" for all students results in the continuation and existence of certain nonpublic schools which might otherwise have to close, because of their present inability to cope with the teacher-salary problem. Is this such an evil thing? Should we instead continue the present unfair distribution of the educational tax dollar? Do we want the inevitable result, the ultimate disallusion of the nonpublic school system? Shall we deliberately seek the resultant overloading of the public school system? Would we welcome the tax increases which would then result? A little side observation is in order here. We parents of nonpublic schoolchildren are not seeking these benefits for our children because we stand to personally gain. Let it be noted that if the current trend continues and more and more nonpublic schools close down, our children will then be attending the public schools, we will personally be freed from the present burden of tuition, and any tax increase which would materialize as the result of the increased public school load would, in our own cases, be more than offset by our savings in tuition. So in the long run, if things continue as they are, we come out ahead financially.

Let us therefore repeat, we are actively seeking this equalization of benefits because all students are entitled to them, and they are not presently receiving them.

But back to our main line of thought. Should we, as we are asking, continue the present unfair system with its chaos, or should we act in a wise, prudent, practical, even self-serving manner and agree to a more just system of distribution of the educational dollar? Even if it does continue in existance the nonpublic school system? We'd be getting a bargain for our money. Many nonpublic schools, meeting all accreditation standards, are operating at a per pupil cost of $300 or $400. Compare this with some public school system cost of $800 or $900 or more. Isn't the arithmetic compelling?

We leave it to legal people to find legally acceptable means of accomplishing what we are looking for. However attained, the end result we seek is this; there should be a simple means of channeling to each child the educational tax dollars to which he is entitled, in some practical form which will make it easy for him to transmit to the school he is attending. Note that this would cover all students. Why discriminate? The student is the one being educated, these are his benefits, not the school's. He bring his voucher, or whatever, to school, be it public or nonpublic. What's wrong with that? The precedent exists. The GI bill which originated during World War II has seen many, many students attending seminaries and private schools and paying for with taxpayers' money. The word voucher is used only as an example. Tax credits or any other acceptable solution would be just as effective. The President's Commission on Nonpublic School Education is at this very moment finalizing their findings on this matter.

In summary, the benefits accrue to the student, not the school. The educational tax dollar is for educating the child. The school chosen is incidental. And let's not cloud the issue by saying, "But, but, it's a religious school." The principles don't change: The student is entitled to his share of the tax dollar, and the parent has a free choice of the school his child attends. Do we really mean this or is it a lot of pius malarkey? Nonpublic schools do inject an element of competition into the educational picture. We would hesitate to think that there are people who fear this competition, or who would seek a monopoly in the field of education.

Let the researchers and statisticians look into how other countries handle this situation. They may become quite interested in what they find is going on in Canada or in various European countries. Perhaps we can take a page from their book. Meanwhile we are not treating our students fairly. Let's do so. Let's not make an orphan out of the nonpublic school student. Thank you for listening to me.

Senator PELL. Thank you.

(The prepared statement of Mr. Langhammer follows:)

PREPARED STATEMENT OF MR. ANTON E. LANGHAMMER, WARWICK, R.I.

We believe, simply stated, that all students are entitled to fair and just distribution of the educational tax dollar. Regardless of race, color or religion, and regardless of whether they attend a public or a non-public school, they are all individual student citizens entitled to equitable treatment.

The law states that all children up to a certain age must attend an accredited school. Let us note that the schools which have been accredited include both public and nonpublic schools. Presumably this means that parents have a choice as to which school their children will attend. But do they, really? Any system of choice which results in receiving or not receiving a share of the educational tax dollar and the accompanying educational benefits depending on how that choice is exercised is a hollow sham. A choice like that is *no* choice. And it is most unfair to tell people, "If you don't like it, send your children to a public school." This is choice?

A community where, for instance, the per-pupil cost of education in the public schools is $800 or $900 annually, or whatever, and where the per-pupil cost to that same community of educating students in its non-public schools is zero, is *not* running an equitable establishment. It is just as wrong to consider public school students a privileged class as to consider the non-public school segment privileged. The educational tax dollar and educational benefits are for *all* students.

Why indeed do we send our children to non-public schools? It is not that we consider non-public schools better or superior; we concede that many public school systems are excellent. *But*, we do have our own ideas as to just what constitutes "total education". Total education consists of not just course content alone, but *course content plus values*. Course content by itself is sterile. The larger framework involves the whole person, a creature who is moral as well as mental and physical. And a public school system which shivers and shakes at the thought of a daily prayer (this in a God-centered society!) is not going to care much beyond the mere acquisition of knowledge.

So, we exercise our choice, inherent in our role as parents, and choose non-public schools. We want our children to be knowledgeable in what we consider a moral context. We are not ashamed to let God impinge on the educational process. After all, He impinges on our very lives. (Reflect, if you will, on how many people became "up-tight" about the words "under God" being included in the Pledge of Allegiance to the Flag.)

Do we seek benefits or "financial aid" for any particular schools? Definitely not. We think it is a serious error to seek specific benefits or financial aid for Catholic schools, for instance, or for Lutheran schools, or whatever. We know all about separation of church and state. We do *not* seek aid for any particular schools, nor do we seek benefits exclusively for certain children of any specific religion or group. We seek this aid and benefits *for all students*.

Let's pose a question. Let's suppose that this "fair shake" for all students results in the continuation in existence of certain non-public schools which might otherwise have to close, because of their present inability to cope with the teacher-salary problem. Is this such an evil thing?

Should we instead continue the present unfair distribution of the educational tax dollar? Do we want the inevitable result, the ultimate dissolution of the non-public school system? Shall we deliberately seek the resultant overloading of the public school system? Would we welcome the tax increases which would then result?

A little side observation is in order here. We parents of non-public school children are not seeking these benefits for our children because we stand to personally gain. Let it be noted that if the current trend continues and more and more non-public schools close down, our children will then be attending the public schools, we will personally be freed from the present burden of tuition, and any tax increase which would materialize as the result of the increased public school load would, in our own cases, be more than offset by our savings in tuition. So in the long run, if things continue as they are, we come out ahead financially. Let us therefore repeat, we are actively seeking this equalization of benefits because *all* students are entitled to them, and they are not presently receiving them.

But back to our main line of thought. Should we, as we were asking, continue the present unfair system with its ultimate chaos, or should we act in a wise, prudent, practical, even self-serving, manner and agree to a more just system of distribution of the educational dollar? Even if it does continue in existence the non-public school system?

We'd be getting a bargain for our money. Many non-public schools, meeting all accreditation standards, are operating at a per-pupil cost of $300 or $400. Compare this with some public school system costs of $800 or $900 or more. Isn't the arithmetic compelling?

We leave it to legal people to find legally acceptable means of accomplishing what we are looking for. However attained, the end result we seek is this: There should be a simple means of channeling to each child the educational tax dollars to which *he is entitled*, in some practical form which will make it easy for him to transmit it to the school he is attending. Note that this would cover *all* students. Why discriminate? The student is the one being educated, these are *his* benefits, not the school's. He brings his voucher, or whatever, to school, be it public or non-public. What's wrong with that? The precedent exists. The G.I. Bill which originated during World War II has seen many, many students attending seminaries and private schools and paying for it with taxpayer's money.

(The word "voucher' 'is used only as an example. Tax credits or any other acceptable solution would be just as effective. The Presidents' Commission on Non-Public School Education is at this very moment finalizing their findings on this matter.)

In summary, the benefits accrue to the *student*, not the school. The educational tax dollar is for *educating the child*. The school chosen is incidental. And let's not cloud the issue by saying, "But, but, it's a religious school." The principles don't change: the student is entitled to his share of the tax dollar, and the parent has a free choice of the school his child attends. Do we really mean this, or is it a lot of pious malarkey?

Non-public schools *do* inject an element of competition into the educational picture. We would hesitate to think that there are people who fear this competition, or who would seek a monopoly in the field of education.

Let the researchers and statisticians look into how other countries handle this situation. They may become quite interested in what they find is going on in Canada, or in various European countries. Perhaps we can take a page from their book.

Meanwhile, we are not treating our students fairly. Let's do so! Let's not make an "orphan" out of the non-public school student!

Senator PELL. Who would like to be next?

Mrs. LEFOLEY. I speak mostly as a parent and I feel as though what I have to say has already been said but I do want to bring out one point and that is a constitutional question. The Constitution states that Congress shall make no laws establishing a State religion, and that it shall not prevent the free exercise thereof. Now this very simply states that Congress should not support with tax moneys or in any other manner a particular religion; nor should they prevent by force of law or a citizen's participation in the religious ceremonies of his choice. To read anything else into this amendment is tampering with the clear intent of our forefathers who wrote these laws and knew full well what they were doing having been oppressed under the tyranny that an established State religion can impose upon its people.

This brings us to the point currently under discussion. Is it constitutional to grant money in the form of a voucher to a child attending a nonpublic school of his parents' choice. In my opinion, it is not only discriminatory but unconstitutional not to grant him the fruits of his parents' taxation. Cities and towns, the Federal Government, and now the State taxes all of its people. A portion of this tax money is set aside for education. One would assume that each citizen is of equal importance to the State and thus when it portions out this tax money set aside for education, that it has all of its citizens in mind. The Government itself has set the precedent for this in the GI bill which granted tax money to an individual for the purpose of education in the school of his choice, public or nonpublic. The presence of a religious symbol on the classroom wall, the wealth of the child's parents, or the church he attends should have no bearing in granting to that child that to which he is entitled in justice. The State recognizes the fact that a parent has the right to educate his child according to what his conscience dictates and yet when he avails himself of this right, he is then financially punished so to speak. It might be interesting to interject at this point a little personal note. It costs our family approximately $1,500 per year to educate our children in nonpublic schools. If all these schools were closed tomorrow, and all these children were now sent to the public schools and the tax rate had to double or even triple to meet the costs, our family would be saving money but I can tell you quite certainly that there would be a lot of angry taxpayers. Everyone today is tax conscious. This might provoke a little serious thought on the subject. I would defer now to Mrs. Hewitt.

Senator PELL. Thank you, Mrs. Lefoley.

(The prepared statement of Mrs. Lefoley follows:)

PREPARED STATEMENT OF MRS. GLORIA LEFOLEY

Senator Pell, Members of the Education Hearing, Ladies and Gentlemen, the Constitution states that Congress shall make no laws establishing a state religion, and that it shall not prevent the free exercise thereof.

Now this very simply states that Congress should not support with tax monies or in any other manner a particular religion; nor should they prevent by force or law a citizen's participation in the religious ceremonies of his choice. To read anything else into this amendment is tampering with the clear intent of our forefathers who wrote these laws and knew full well what they were doing having been oppressed under the tyranny that an established state religion can impose upon its people.

This brings us to the point currently under discussion. Is it constitutitonal to grant tax monies in the form of a voucher to a child attending a non-public school of his parents' choice.

In my opinion, it is not only discriminatory but unconstitutional NOT to grant him the fruits of his parents' taxation. Cities and towns, the federal government, and now the state taxes all of its people. A portion of this tax money is set aside for education. One would assume that each citizen is of equal importance to the state and thus when it portions out this tax money set aside for education, that it has all of its citizens in mind.

The government itself has set the precedent for this in the G.I. Bill which granted tax money to an individual for the purpose of education in the school of his choice, public or non-public.

The presence of a religious symbol on the classroom wall, the wealth of the child's parents or the church he attends should have no bearing in granting to that child that to which he is entitled in justice. The state recognizes the fact that a parent has the right to educate his child according to what his conscience dictates and yet when he avails himself of this right, he is then financially punished so to speak.

It might be interesting to interject at this point a little personal note. It costs our family approximately $1500.00 per year to educate our children in non-public schools. If all these schools were closed tomorrow, and all these children were now sent to the public school and the tax rate had to double or even triple to meet the cost, our family would be saving money but I can tell you quite certainly that there would be a lot of angry taxpayers. Everyone today is tax conscience. This might provoke a little serious thought on the subject.

Mrs. HEWITT. I am Mrs. Shirley Hewitt, a lay teacher in the parochial school and a parent of four children currently enrolled in Warwick schools. As a taxpayer to the city of Warwick to the tune of $2,200 because of business and a husband who is actively engaged in supporting public education by sitting in on a committee for the construction of public schools, a member of the Warwick Catholic Regional Council and as you can see, like many other Catholic parents, actively involved in the Catholic education picture and dedicated to its continuation. I can only relate to the statement that has been made in support of aid to nonpublic education and mostly after teaching in the public school system and in the Catholic school system from the point of view of the product that is produced. I believe that after a long history of education and the civilization we speak of that we simply now within the last 100 years in the United States can overlook the fact that this whole man must be considered. I think we are seeing the result of not considering this type of education in the drug culture introduced into the country. Children must have values, must have a sense of continuity. Parents have a primary duty of education for their children and I think they have a right to place them in the hands of people whose values they can trust. They must have people who will continue to relate the parents first effort. It is well known that children are formed by group attitudes and they are vulnerable to attitudes, ways of life, and are influenced by adults like teachers.

Many, many subjects such as social studies, history, literature are value oriented and the instructors' viewpoints comes across. Let's face it, children's attitudes are often caught rather than taught. It is really a repudiation of basic human feelings to refuse to make it possible for a parent to exercise choice in these matters. The principles of self discipline, responsibility to society are predominant in the nonpublic education and traditions of Americanism.

As previously has been said, many of our community leaders in Rhode Island are products of nonpublic education and I think we will all continue to benefit if some way can be found to provide for funds and I think we must put aside personal prejudice and work for the general good of all our children and this is really what we are concerned with.

As a teacher I might have some information that you might find interesting regarding the practical application of the three title programs. I have statistics taken from the Office of Education, the statistics bulletin for 1969–1970 which indicates that statewide the average cost per student is $797. Of that the local share is $509 and the State's share is $262, and the Federal Government's share is $26.

You can see that the Federal funding at this point is a very minor part of the total educational budget in this state.

Senator PELL. These are the general schools you are talking about?

Mrs. HEWITT. Across the State generally.

Senator PELL. I think we fund about 7 percent.

Mrs. HEWITT. Within our own school, projects such as libraries by title II moneys require matching funds and in this way the school must again increase the burden upon the school in order to have additional facilities. In title III programs, in many instances, individual school committees have not consulted for there has not been communication within the nonpublic sector and the public sector and this perhaps accounts for the reason many schools have not participated in this type of program. In title I many of them are tied into underprivileged groups. We had special services in our school last year and many of them were underprivileged but because they did not live in areas designated as underprivileged, simply could not get the funds, so I would say any additional funding under these title programs really would not serve our problem at this point. I thank you for listening to us.

Senator **Pell**. I appreciate your saying that. I realize this is why this session is being held, to determine what degree of help these programs would be. I see from your faces that I met several of you last week at Bishop Hendrickson High School. I don't want to sound too glum but the law is as it is and we have to work within that law. Maybe as a result of these hearings and the President's Commission and his words and working together, we can try and come up with a new approach and this will also come out of this hearing which really are the only hearings being held in the country on the subject.

As to the President's Commission, since Mrs. Loffredo asked, the report of the President's Commission is suppose to come out in March and the final report is supposed to come in June, but that is the present status of it. We don't know what it says. I know the administration is a little concerned because after the words of the President then it came to implementing these words and when we had the hearings in Washington it proved quite difficult to get the administration to come up at that time and they were not prepared to take a position on how they could help.

Mrs. **Hewitt**. Well, we appreciate you holding these hearings. We are hopeful that a way can be found to help and we believe strongly in this cause.

(The prepared statement of Mrs. Hewitt follows:)

Shirley M. Hewitt 239 Kirby Ave. Warwick, R.I.

Role of Non-Public Education in R.I.

Parents have the primary duty of educating their children. The availability of public and non-public schools has given parents in R.I. a choice in fulfilling their primary obligation. They are able to place their children in the hands of people whose philosophy they know and trust - people who will expose their children to ideas and values and form character in a way that will reinforce the efforts of parents.

It is well known that children are formed by peer group attitudes and that they are vulnerable to attitudes and ways of life of influential adults - like teachers. Many school subjects are value oriented - subjects such as social studies, history, literature. The instructor's viewpoint usually comes across. Atheism, naturalism, humanish, secularism are all philosophies permeating public education. Movements are on foot to take parental privileges away from parents by compulsory child care centers. Rising costs are forcing many non-public schools out of business. A monopoly in education would make it impossible for parents to exercise choice in the matter of education. It's a refutation of basic human freedoms.

From a practical viewpoint, private enterprise can usually produce more for less. This has been true of many non-public schools in R.I. - with a resultant tax saving for all Rhode Islanders. It makes practical sense to support nonpublic education in R.I. Closing of non-public schools will result in terrible overcrowding in already stress filled public classrooms. Many public schools are currently in a state of physical collapse through vandalism. Classrooms are being disrupted by undisciplined, problem children with teachers unable to enforce order because of lack of support from administrators and parents. How will children learn? Parents must have a choice of schools and atmosphere. Society needs their graduates.

Principles of self-discipline, responsibility to self and society, accountability to divine authority which dominate much non-public education uphold the highest tradition of Americanism. Reports such as the Greely-Rossi Report in the 60's show that parochial schools, for instance, produce less bigoted, more open-minded individuals. The child's image of self is determined in large measure by how others treat him. Religious oriented schools value the individual- stress his formation - build towards that self-discipline which is an essential part of true learning. When a child understands his responsibilities in relation to self - to others- to God then he is ready to begin contributing to others. The government is interested and concerned in the drug problem. Funds are being sought for rehabilitiation. Why not prevent the problem by working on the whole person - by helping him from the beginning to know his reason for being - his purpose in life. The only drug rehabilitation programs that have succeeded are based on these principles. There is much talk about "accountability", "lack of pride" in workmanship - religious based education makes the individual accountible to the highest authority - God.

Many of our community leaders in R.I. are products of non-public education. All of society will continue to benefit if some way can be found to provide funds for the continued existence of non-public education in R.I.

Shirley M. Hewitt

Senator PELL. There is no question that the administration wants to help, the Congress wants to help, it is the question of how we can do it and whether we can do it. Our final member of the panel is Mr. Robert P. Brolan.

Mr. BROLAN. Thank you.

Most of what is in my speech has been covered.

Senator PELL. I believe I already have the benefit of your views on Wednesday night as well.

Mr. BROLAN. That is correct.

Some years ago, my father gave me an indication that he felt I would wind up on the wrong side of the road, instead of that, here I am in front of a congressional committee and I appreciate this opportunity. I hope my father is watching.

I believe that we have a moral obligation to support the education of all children. On this basis, I have paid a share of my taxes toward educational needs prior to my children reaching school age, and it will continue to be my obligation to support education of children long after my own children have completed their own education. I have no quarrel with this concept. A basic reason why the United States maintains its position of leadership in the world today is an educated citizenry. But, I also believe in freedom of choice as guaranteed by the Bill of Rights. I therefore chose nonpublic school education for my children because it is my choice, and is my choice based on the dictates of my conscience. I see no reason why my children should be discriminated against by not receiving some share of the tax dollars I am paying to support education. If, as a taxpaying voter, my family is entitled to a share of police and fire protection which my tax dollars purchase, why am I denied a share of the educational benefits also purchased with these same tax dollars?

I believe it is reasonable to assume that if all the nonpublic schools are forced to close the increase in taxes for all taxpayers to support the total educational needs will be tremendously increased. Even though this be true, from a personal standpoint, I will gain because a proportionate increase in my taxes will be more than offset by my savings in tuition, transportation, and so forth. I point out the above to indicate that my basic interest in retaining this freedom of choice is not motivated by material selfishness.

At present, we who chose nonpublic school education are not being subsidized. In truth, it is the public school system which is being subsidized by our tax dollars. I have no quarrel with the public school system. In fact, I have no quarrel with education per se, whether it be public or nonpublic school systems. My protest is directed against the present discriminating practice of the State's withholding a service from my children, a service for which I am being taxed, and a tax which I am obliged to pay by law. Could this not be construed as "taxation without representation," since I really have no choice in the matter?

I was pleased to learn that the President of the United States is not unaware of the impending crisis in education and to that end, has already established a panel on nonpublic education to consider a tax credit plan to aid the parents of nonpublic school children for their educational expenses. I believe the time has come to equitably apportion the available educational tax moneys in the manner for which such apportionment must have originally been intended. I cannot believe otherwise. In the present atmosphere, everyone is entitled to a college education and I don't quarrel with that. I would like to see them get all the education that they can. I remember when I went to college there were three ways in which you went. You either were fortunate and had your parents pay your way, if not you had a scholarship or otherwise you worked your way through. But, in no case was a taxpayer ever asked to directly hand you money to subsidize your college education. I am not saying they weren't subsidized through other means but the taxpayers weren't expected to pay in any way or anybody in this room probably.

The current programs in effect are ruled constitutional as I understand. Now, this doesn't necessarily mean that the student would have to attend a State college, I assume again he has the choice. For me, if it is constitutional at the college level to be subsidized, why is is unconstitutional at the secondary school level at this point.

Frankly, I don't mind paying for private education for my children as long as I have the means to do it. My taxes are increased out of proportion and my taxes are increased to subsidize programs for education but that robs me of the opportunity to send my own children to college. I can send stranger's children to college but I can't afford to send my own children to a school that in my good conscience dictates that they should attend. That to me is discriminatory and I just don't believe that that is fair. I don't believe that that is what our forefathers intended when they set up the present arrangement and so-called separation.

I was very much impressed in hearing your views on education and the views of several other speakers ahead of me and how strongly the majority do feel that some aid is necessary and hopefully will be forthcoming in the near future. Thank you very much.

(The prepared statement of Mr. Brolan follows:)

Prepared Statement of Robert P. Brolan, Warwick, R.I.

Gentlemen, I believe that we have a moral obligation to support the education of all children. On this basis, I have paid a share of my taxes toward educational needs prior to my children reaching school age, and it will continue to be my obligation to support education of children long after my own children have completed their own educations. I have no quarrel with this concept. A basic reason why The United States maintains it's position of leadership in the world today is an educated citizenry.

But, I also believe in Freedom of Choice—as guaranteed by the Bill of Rights.

I therefore *choose* non-public school education for my children because it is my choice, and it is my choice based on the dictates of my conscience.

I see no reason why my children should be discriminated against by not receiving some share of the tax dollars I am paying to support education. If, as a tax-paying voter, my family is entitled to a share of police and fire protection which my tax dollars purchase, why am I denied a share of the educational benefits also purchased with these same tax dollars?

I believe it is reasonable to assume that if all the non-public schools are forced to close, the increase in taxes for *all* taxpayers to support the total educational needs will be tremendously increased. Even though this be true, from a personal standpoint, *I* will gain because a porportionate increase in my taxes will be more than offset by my savings in tuition, transportation, etc. I point out the above to indicate that my basic interest in retaining this Freedom of Choice is not motivated by material selfishness.

At present, we who choose non-public school education are not being subsidized. In truth, it is the public school system which *is* being subsidized by our tax dollars.

I have no quarrel with the public school system. In fact, I have no quarrel with education per se, whether it be public or non-public school systems.

My protest is directed against the present discriminating practice of the State's withholding a service from my children—a service for which I am being taxed, and a tax which I am *obligated* to pay by law. Could this not be construed as "Taxation Without Representation", since I really have no choice in the matter?

I was pleased to learn that the President of the United States is not unaware of the impending crises in education and to that end, has already established a Panel on Non-Public Education to consider a tax credit plan to aid the parents of non-public school children for their educational expenses.

I believe the time has come to equitably apportion the available educational tax monies in the manner for which such apportionment must have originally been intended. I cannot believe otherwise.

Senator PELL. Thank you very much indeed all of you for coming here.

Now, there is one witness who made a special request that she be heard before the luncheon break as she has to leave town, so Mrs. Mildred Stanzler representing the Providence Chapter of the National Council of Jewish Women if you would step forward please.

STATEMENT OF MRS. MILDRED STANZLER REPRESENTING THE PROVIDENCE CHAPTER OF THE NATIONAL COUNCIL OF JEWISH WOMEN

Mrs. STANZLER. Thank you, Senator, for graciously hearing us before the recess. This will be very brief.

I would like to introduce Mrs. Herman Gross, the president of the Providence Chapter of Jewish Women and I am the legislative chairman of the group. I appreciate the opportunity to appear before this committee on behalf of our 500 Rhode Island members to express our opposition to any financial aid to private and parochial schools.

The National Council of Jewish Women was founded in 1893 and has 330 sections throughout the United States comprising membership of 100,000 women. The Council of Women work in the public schools in a variety of ways. They are responsible for two new programs providing enrollment programs and service volunteers in a variety of preschool up to and including adult education. In Rhode Island the Providence chapter helped to support and have given a grant to public school children who participate in Rhode Island's School of Design Museum and is extremely active in urging support of a mandatory school lunch program. Our traditionally strong support for public education is rooted in our belief that American democracy depends on a strong system of public education to develop the highest potential of the individual. Recognizing the current financial crisis in education and recognizing the public education is a national concern we believe that any legislation which diverts public moneys from public education weakens the public school system and could lead to its destruction. This is a main concern of ours. Nonpublic school education is an alternative that is available to some and no one wishes to deprive the group of this right. We are not antiparochial school but public funds cannot be diverted from public use at the expense of our public schools. The National Council of Jewish Women is strongly committed to protect the principle of church and state. It is our firm conviction that separation of church and state is essential to the continuous political and social health of this country. Accordingly, we oppose all proposals which would allow public funds to be used for private schools which are controlled by religious institutions be they Protestant, Catholic, or Jewish.

There must be no departure from the basic doctrine of church and state or a further weakening of the balance of separation. To us the constitutional and historical safeguards of the separation of church and state represent important public policy which must not be diluted or otherwise weakened. There is no doubt that public education needs strengthening, there is no doubt that public education is not adequately supported by public funds. The National Council of Jewish Women has pledged itself to work for a higher level of public education by supporting adequate State and by supporting the Federal aid to public education and by protecting public funds from being diverted to private elementary and secondary education.

The responsibility of this State and every State is to provide the best public school education to each child and in our opinion any measure to divert public moneys from the public schools whether it be in the form of tax relief, voucher system, revenue sharing, or the like carries with it within the potential for great harm both for our educational system and our society as a whole. We hope the Senator will consider our objections. Thank you for the opportunity to appear before you.

Senator PELL. I have two questions.

What is the view of your group with regard to aid to nonreligious schools but to private nonreligious schools?

Mrs. STANZLER. I think our concern is the strengthening of public schools, public education. We do feel there is definitely something discriminatory to this type of nonpublic or private school. Obviously it has to be discriminatory with the fact that just a certain number of limited spaces are available. Should I desire to send my child to so-called freedom schools we're not able to, therefore, we are discriminated against.

Therefore, our main concern is to give every child the opportunity of an equal quality education.

Senator PELL. Also, what about the idea that the benefit should follow the child if the child is going to religious school or public school or simply a nonpublic or private school? Do you have any problem with that?

Mrs. STANZLER. You mean directly to the child?

Senator PELL. Yes; something like the college scholarship.

Mrs. STANZLER. I don't compare that. That is a different level completely.

Senator PELL. It is still a constitutional point.

Mrs. STANZLER. It enters more on secondary education than on the college level and the effect on the education to the secondary level I think is somewhat different.

Senator PELL. In other words——

Mrs. Stanzler. I think the case is in Washington constitutionality, as you know, that case found on the college level and not on the secondary. I was fortunate to be present at that hearing when that element was brought into the issue in court at that time.

Senator Pell. Good. Thank you both very much indeed.

(The prepared statement of Mrs. Stanzler follows:)

PREPARED STATEMENT OF MRS. MILTON STANZLER, LEGISLATIVE CHAIRMAN, PROVIDENCE CHAPTER, NATIONAL COUNCIL OF JEWISH WOMEN

I am Mrs. Milton Stanzler, Legislative Chairman of the Providence Chapter, National Council of Jewish Women. I appreciate the opportunity to appear before this committee on behalf of our 500 Rhode Island members to express our opposition to any financial aid to private and parochial schools.

The National Council of Jewish Women, founded in 1893, has 330 sections throughout the United States comprising a membership of 100,000 women. Council women work with the public schools in a variety of ways. Sections sponsor tutoring programs, provide special enrichment programs and serve as volunteers in a variety of settings from pre-school up to and including adult education. In Rhode Island, the Providence Chapter helps to support the Lippitt Hill Tutorial program, has just given a grant to public school children to participate at the R. I. School of Design Museum, offers a scholarship program to children entering college and has been extremely active urging the support of a mandatory school lunch program.

Our traditionally strong support for public education is rooted in our belief that American democracy depends on a strong system of public education to develop the highest potential of the individual. Recognizing the current financial crisis in education and recognizing that public education is a national concern, we believe that any legislation which diverts public monies from public education weakens the public school system and could lead to its destruction. This is a main concern of ours. Nonpublic school education is an alternative available to some. No one wishes to deprive this group of this right. We are not anti-parochial school but public funds cannot be diverted from public use at the expense of our public schools.

National Council of Jewish Women is strongly committed to protect the principle of church and state. It is our firm conviction that separation of church and state is essential to the continuous political and social health of this country. Accordingly, we oppose all proposals which would allow public funds to be used for private schools which are controlled by religious institutions be they Protestant, Catholic or Jewish. There must be no departure from our basic doctrine of church and state, or we may expect to see further weakening of the wall of separation. To us the constitutional and historical safeguards of separation of church and state represent important public policy that must not be diluted or otherwise weakened.

There is no doubt that public education needs strengthening. There is no doubt that public education is not adequately supported by public funds. The National Council of Jewish Women has pledged itself to work for a higher level of public education by supporting adequate state and local funding; by supporting federal aid to public education; and by protecting public funds from being diverted to private elementary and secondary education. The responsibility of this state and every state is to provide the *best* public school education to each child. In our opinion, *any* measure to divert public monies from the public schools whether it be in a form of tax relief, voucher system, revenue sharing or the like, carries within it the potential for great harm—both to our educational system and to our society as a whole. We hope the Senator will consider our objections. Thank you for the opportunity to appear before you to voice our concerns.

Senator Pell. The meeting of this subcommittee is recessed until 2:30 p.m.

(Whereupon, at 1 p.m., the hearing on the Subcommittee on Education was recessed until 2:30 p.m. the same day.)

AFTERNOON SESSION

Senator **Pell**. The Subcommittee on Education will come to order again.

The first witness in the afternoon session is Mr. Roland Van Hoolanot of Pawtucket, R.I., discussing education vouchers. I look forward to his testimony very much. We have discussed this idea in the past and I know we will benefit by hearing from him.

STATEMENT OF ROLAND VAN HOOLANOT, ON BEHALF OF THE VOUCHER GROUP OF PAWTUCKET, R.I.

Mr. **Van Hoolanot**. Thank you, Senator.

I will talk today about the Voucher Group that we have in Pawtucket right now which I would say is up today comprising about 4,500 members. Why do we favor vouchers? In the city of Pawtucket we are faced, I would say, immediately within the next 3 years, of not having any private school system left at the rate it is going. We feel that a voucher would be a direct grant toward the elimination of the problem of church-related school questions which we have heard in courts all the time saying, it is a church-related school and so forth and so forth, and this is unconstitutional.

I was educated and brought up in a country with multiple systems and I think it is very important that in this great country we keep the multiple systems. Unfortunately, I believe that the people in this country are getting phased out of this system because they can no longer afford the burden put on them. I can't see the reason why people are saying we should work for a great public system or one single system, I think there should be competition in education through dual systems.

Now, Senator, we are right now tryng in our own city to survive the problem of 3,200 children and where their destiny is going to be in that school system a year from now. When you write to your Representative and so forth, to try to get some help you get a letter back stating well, sorry, this happens. I think the matter of utmost urgency that your committee, Senator, try to do something about it.

In talking with different legal opinions on the voucher, it seems to them because I am not a lawyer, that it would be the most constitutional approach to send a direct grant to any child attending public or nonpublic schools. It should be stated that if the private system should be fading away, I think it would be a great detriment to this Nation. I think it has to exist and after all the money we're looking for and we are talking always constitutionality, but actually what I am talking about is giving the child an opportunity to make a first choice or a second choice on where he wants to be educated, because the parent is the legal responsible person of that child while he's attending school. I think the parents have the legal right to send this child to a school where he isn't being so much double taxed. For instance, in Pawtucket alone, if the private system closes it will cost the city an annual tax bill of $3,200,000 and that is just if the private system closes. Then you have to build four new schools to the average tune of $7 million at the rate of inflation and so forth, which is an added $28 million investment.

Now, I have stated and I read it also in a book which is entitled "Future Shock" that education in 5 or 6 years will cost an average of $1,600 per child at the rate of increases. In my opinion, Senator, I think the people in our State want this, want the dual system and I think the only solution might be a voucher. It was explained in New York at a seminar on vouchers down there for 4 days and I believe Dr. Bernardo went on a survey in different countries and in England they have a dual system, Belgium they have dual systems, Germany has a dual system, Sweden has a dual system, Holland has a dual system, and the only place that is not on a dual system right now is Russia and China. I think it is very detrimental to a great country for this to be forced on us and the closing of one system and to run just one public system. The only ones that are against the voucher right now that I have heard is mainly the superintendent of schools in Pawtucket, he is against any type of a voucher. Well, I hate to see the day if we end up with one single system, what the ruling will be then.

The problem is this: If we want to show our children that this is a free, democratic society, I think we should start, and stop this pushing around of these kids, saying, "Well, if I go to public school I don't have to pay. If I go to the private school you have to pay." Supposing a child is 8 years old and comes back to his father and says, "Dad, I don't have to say my prayers any more for the simple fact that in this school that I attend they are saying, look, down here you can't do that. This is against the Constitution. This is a public system and you can't do this." Furthermore, I think it is indoctrinating a child in a separate type of religion. I feel that, if you are talking about the 14th amendment and freedom of choice and so forth and so forth, I think a dual system could do well supported through grants directly to the parents. There are pros and cons for certain people, but I think, Senator, this is the best answer that there is up to now. On behalf of the people that I represent, Senator, I wish to thank you for the time you have given to this hearing. I know I talked to you in June on it and certainly like to see something done within the immediate future. The reason I am saying immediate future is because there is no question about it, I think that 40,000 children in the State of Rhode Island right now attending private schools are really not sure if they still will have the school system after the next 3 years.

I think, Senator, I would say that I read a bill from Representative Delaney which I believe was H.R. 128, and it was designed to send every parent $100 per child on the basis of 3 years and the bill was made up in 1970. I got it through the mail by Congressman St Germaine about 6 months ago and unfortunately never anything has been done. I hope that President Nixon, when he made that statement a few months back that he was going to seek an immediate measure of closing down these parochial and private schools, I hope that we get something fruitful out of it because I think if we lose private education I think it is a detriment to this country and once we lose them, Senator, I don't think we will ever see them back. This, in my opinion, is no longer living in a free, democratic society. Thank you, Senator.

Senator PELL. Thank you for your testimony and for presenting us with your views.

The purpose of today's hearing is to get all views and all sides both with suggestions as to how we can assist and also the fundamental question as to whether or not private schools should be assisted with tax funds. We are getting all sides and this is what we are exploring and perhaps the voucher program is good. There is a test run now in Boston and some others in the west coast and I think we are going to have to wait a while to see how they work and if they work. You also have the suggestion as you know, of the tax credit and you have ways of having the other Federal assistance following the children. I am not sure what the solution is but I do know speaking very personally, I want to see the dual systems of education retained if at all possible.

Mr. VAN HOOLANDT. There is one more remark that I wish to make. In 1945 I attended school in Europe and when the country got invaded, immediately—I was attending a Catholic school at the time, because it was supported as well as the public system. The first thing they said, "Well, you are in a Catholic school and as of today you have got to take that cross off the wall because this gentleman is coming in its place."

When you live for 2 years with the symbol that they have put up there, pretty soon you believe that he becomes the Almighty and this I believe is very detrimental to the indoctrination of a child and I think that it would be a danger also to end the dual system. Thank you, Senator.

Senator PELL. Thank you very much indeed.

The next witness is Mr. Charles Heaslip of Pawtucket, R.I., who is a parent discussing the voucher approach.

STATEMENT OF CHARLES HEASLIP, PARENT, OF PAWTUCKET, R.I.

Mr. HEASLIP. Thank you, Senator, for the opportunity to appear before the committee.

I have no prepared statement but I would like to speak strictly as a parent with one exception, that I would like to say that I also back the voucher bill.

As a parent I am very concerned about the fact that I seem to be heading toward an area as many, many other parents where we have little to say where our children go to school, how they are taught or the concepts behind the teaching. What I might thing constitutes a great education might not quite agree with the head of some other public or private institution of learning but I feel, as a parent, I should have a right to say something as to where I guide my children, what I want to happen for them, what I want them to concentrate on, what areas I would like to see them educated in. I think there are many areas of education that go beyond the bricks and mortar and material and building and some of the things that I have heard today where the public school system is drastically in need of additional funds. I think that we have an excellent private and I must say, in my case, private parochial system here in the State. I think that our children are well taught and I think the schools are operated very efficiently and that may be repetitious of what Father Mullen said but I have talked with a great many parents in the past few months in my own area working with the voucher group and there is a great deal of concern among these people in the direction in which their children are headed.

We have been told that cost would not go up if the children were put into the public school system. Statistics just don't bear this fact out. How can you dump 3,000 pupils into the public school system without an increase in cost? We have been told that this is a form of discrimination. I am not a philosopher, I am not a lawyer, and educator, or a judge, so I am really the rabbit in the lion's den, but I don't think the legislation is equal or there is equal opportunity for every person in this city and the State and the Nation, because if everyone was exactly equal, then we would have a rather amazing society where we would no longer need a President or a Congress for the State of Rhode Island or anyone.

I think all children should have equal opportunity. As I said, I am not a lawyer and I won't presume to comment on the constitutionality. We have been told the voucher program stands and is standing this test and I could say that the first 16 words of the first amendment to the Constitution which I thought were well thought out by the men who wrote them, have grown into many, many thousands of words in recent years. I think all of us down in the grassroots level may be insignificant in many areas, but I think as citizens we have a right to question, we have a right to inquire, we have a right to wonder and we have a right to ask for a say in the direction in which these children of ours are going. Thank you, that is all I have to say, Senator.

Senator PELL. Thank you very much. In this regard, you know the voucher system can be brought into effect at local option, the State can do it, the community can do it if there is enough public support for it. The experiment, I believe, in Massachusetts is being partially funded by OEO, the Office of Employment Opportunity, but it can be done on local levels and this is one of the thoughts that I am glad to be ventilated in this hearing. From a Federal viewpoint it is going to take not only the support of the individual Senators and Congressmen, but also the support of the administration if we are to get through anything on a national level.

Mr. HEASLIP. It is not going to be done overnight and we are trying to implement it right now in the city of Pawtucket.

Senator PELL. Personally, I am not yet convinced that is the way, but one of the purposes of this hearing is to air that, and I would also want to see the results of the experiment in its use which is presently in effect. Thank you very much for your statement indeed.

Our next witness is an old friend, Mrs. Robert Finkelstein, chairwoman of the Committee to Protect and Strengthen Public Schools.

Mrs. FINKELSTEIN. I would like to express thanks to Senator Pell for permitting me to present these views today.

Senator PELL. Delighted.

STATEMENT OF MRS. ROBERT FINKELSTEIN, CHAIRWOMAN OF THE COMMITTEE TO PROTECT AND STRENGTHEN PUBLIC SCHOOLS

Mrs. FINKELSTEIN. I am a product of the public school system. I remember clearly that when I went to school parents were not only enthusiastic about enrolling their children in the public schools but also that students were eager to attend these public institutions.

It was the beginning of the century and the area in which my family resided was crowded with immigrants from many foreign lands: Italy, Ireland, Rumania, Poland, Russia, Syria, Lebanon, and even China. We lived not far from New York's Chinatown.

A large segment of the population in that neighborhood had departed their native lands because they saw no promise of a better future there for themselves. The new Americans in our area appeared at ease in their newly adopted country and it was equally evident that their children were very much at home in the public schools which offered them educational opportunities and hope unknown to their parents in their native countries. There were many diverse ethnic and religious groups among the student population in my public school but we were never segregated according to nationality or religion. To tell it as it was, race was not a problem in those days: blacks were hardly visable in that predominantly European environment. In school, all of us were Americans; I believe most of us would have resented and rejected a hyphenated American label and we developed among other commonly shared values a fierce loyalty to the institution that provided us the treasured educational opportunity and the chance for upward mobility not available anywhere else in the world.

For years I was aware of the tremendous contribution made by the public school system to the growth and well-being of our country and I recognized its important role in unifying the diversified ethnic and religious groups in the United States but I never realized the full significance and contribution of our public school system until I and my family spent a summer in Quebec, Canada, in 1940.

For the first time we saw and experienced the corroding effects of antagonism between English-Canadian Protestants and French-Canadian Catholics, two ethnic religious groups native to Canada for centuries. We also learned at the same time that our English-speaking children were never safe from attack among French-speaking children when we turned our backs. We were aghast that our gentle 6-year-old daughter and her 3-year-old brother had to be under the protective care of an adult because the kids in that neighborhood had sized them up as "les Anglaise" and treated them like enemies.

The unexpected overt emnity we witnessed among the children in Quebec expanded our knowledge of the consequences of a publicly supported dual system of education. We personally viewed the effects of a dual system which perpetrated the differences that separated and divided the two ethnic religious groups living side by side for hundreds of years. It was that summer that my husband and I developed a profound new respect and deep gratitude for the uniquely American institution that had unified numerous diverse ethnic segments into unhyphenated, nonbeligerent Americans.

After that summer in Canada, my husband and I committed ourselves to protecting and strengthening our public school system. Recent events in Northern Ireland reinforced our commitment to the American system and fortified our resolve to save American children from the traumatic experiences of their peers in Canada, Ireland, and elsewhere. My husband's untiring efforts in behalf of the public schools continued until his recent death. Shortly before he died he wrote a statement on the nonpublic-school issue. He was chairman of the

Committee to Protect and Strengthen Public Schools at the time and I am taking the liberty of reading his testimony as representative of our organization's policy. I am now quoting my husband:

There is a firm belief among many Americans that the public schools have a unique and vital function. They serve as no other institution does, to fashion a cohesive society, to instill loyalty in our country, and to teach democratic values. Unlike their non-public counterparts, the public schools are dedicated to serve children of all races, colors, creeds; of all ethnic, cultural, social, economic backgrounds.

Our public schools make education available to all. The non-public schools are quite different: they are operated by a special group to serve special private purposes. At this point it is important to make unequivocally clear that opposition to tax aid to non-public schools in no way implies a lack of respect for their right to exist and flourish. A parochial school is as different from a public school as a Christian Science Reading Room is different from a Public Library and this difference makes the Public Library eligible and the other, ineligible for tax support. The parochial school is actually the church engaged in one of its most important activities, education. It is a place of sectarian indoctrination operated for religious ends and purposes. Doctor George N. Shuster, a well known Catholic educator, expressed it this way: "The major purpose of the Catholic school is primarily to develop religious knowledge and practice." Father Mullen, who you heard speak today, Superintendent of Catholic Schools in Rhode Island has made similar comments as have a number of church leaders at various times. It can hardly be denied, therefore, that parochial schools are maintained to preserve and strengthen the faith. Tax aid to church schools eases the financial burden of these schools thereby enabling the church to continue and to expand its program of religious instruction.

If the constitutional free exercise of religion means anything, it means that each of us has the right to support only the religious institution of our free choice and the right not to support any institution of religion. It is apparent that cohersing citizens to support the doctrinal teachings and the spiritual objectives of a particular church violates the fundamental principle of freedom of religion.

A successful attempt by the church to secure public funds for its schools would undermine not only the freedom of religion principle, it would destroy another cherished American tradition, separation of church and state.

In addition to the constitutional issues involved, tax aid to non-public schools is contrary to sound public policy. There is just so much tax money available for education. The diversion of public funds to non-public schools would disastrously weaken the fiscal foundation of the public system that is already critically under-financed. Public schools increasingly deprived of urgently needed funds would become the dumping grounds for racial and ethnic minorities, for the low income, the handicapped, the retarded, the problem students, and others not acceptable in non-public schools.

The non-public schools are racially segregated schools. Nationwide, less than one percent of the students in non-public schools are black In New York City, statistics reveal that while less than 10 percent of the children in non-public schools are blacks and Puerto Ricans, more than 48 percent of the total school population are blacks and Puerto Ricans.

The parochial schools have been segregated schools. The courts have held that tax supported schools may not practice segregation. The focus of court decisions has been on racial segregation but racial segregation is only one form of student isolation practiced by parochial schools. One of the purposes of the church school has been to isolate the children of a particular religion from others holding different beliefs. The evidence speaks for itself. How many Catholic or Protestant students attend Jewish Parochial schools? How many Jewish or Catholic students are enrolled in Seventh Day Adventist Parochial schools? Denominational control and religious dogma offer effective barriers to those who do not share the same beliefs.

Tax aid to non-public schools would be unsound public policy because it would tend to undermine interfaith harmony on account of calamitous competition. There are approximately 250 known religion sects in the United States. Under a system of tax aid for non-public schools, religious groups would have the right to establish their own schools. Consider the arm twisting that would occur as clergymen and lobbyists of the various faiths put pressure on politicians for larger shares of the tax dollars. Will schools operated by Jehovah Witness', Seventh Day Adventists, Mennonites, the Amish; by the Buddhist, the Hindus, the Black Moslems be treated fairly and equally when funds are disbursed by elected officials?

Our society is split as never before; the generation gap, the drug problem, the Vietnam war issue, the black-white conflict. There certainly is a limit to the amount of diversiveness a society can endure before complete collapse. Those who would risk such an eventuality in their pursuit of public dollars must bear an awesome responsibility for the consequences.

Mrs. FINKELSTEIN. To my husband's concerned testimony I add only the plea that we perpetuate the America in which he believed, the same America in which President John F. Kennedy believed, an America "where separation of church and state is absolute and where no church or church schools is granted any public funds for political preference."

I respectfully urge you to use your influence and authority to assure that no church school is granted any public funds. Thank you, Senator.

Senator PELL. Thank you. I think the question of aid is probably one where the aid would follow the children not directly to the school. I want to go back for a second to one statement that you mention which was that the prime purpose of a church school, of a nonpublic school or a church school was the promotion of the faith, is that correct or not?

Mrs. FINKELSTEIN. I was quoting Doctor Shuster, a Roman Catholic educator and also at different times, Father Mullen has made the very same statement as we listened at numerous public hearings and when we had this issue come up before the General Assembly in Rhode Island, so this I believe was what my husband meant when he said that.

Senator PELL. I do not believe that that is the main purpose of a church school. I know certainly the church school that I went to, did not have that as its main purpose at all. I regret to say probably religion was too far incidental to the whole purpose of the school. This is the question of different men and different views. I think we have another representative of the Catholic school system coming up and we will ask him that. What would be your view as to aid to nonsectarian private schools such as the Providence Free School?

Mrs. FINKELSTEIN. Senator Pell, we are completely devoted and dedicated to public education. I would like to see the concept of free education and free schools brought right into our public schools. There is nothing that our public schools cannot do if we have the will to do it and that is the concept which some people believe in and which I agree may serve the educational needs of a certain segment of our population. I am all for it, but within our public school system. I am for diversity in our public schools system, Senator, Senator Pell.

Senator PELL. Your view then is that no Federal support should go to any private schools at all, church related or not church related?

Mrs. FINKELSTEIN. Right. I believe that our moneys, all the money that we can get should go into the public school system and we should develop them to their very fullest potential and if we ever do, we will have a system as no other country in the world has and we really can set an example of democratic living and American living, Senator Pell.

Senator **Pell**. I thank you very much indeed for coming and as you know I had a huge regard for your husband and appreciate your quoting his words to us.

Mrs. **Finkelstein**. Thank you.

(The prepared statement of Mrs. Finkelstein follows:)

PREPARED STATEMENT TO THE SENATE SUB-COMMITTEE ON EDUCATION, JANUARY 18, 1972, BY AUGUSTA P. FINKELSTEIN, ACTING CHAIRWOMAN, COMMITTEE TO PROTECT AND STRENGTHEN PUBLIC SCHOOLS

SUBJECT: NONPUBLIC SCHOOLS

I am a product of the public school system. I remember clearly that when I went to school parents were not only enthusiastic about enrolling their children in the public schools but also that students were eager to attend these public institutions.

It was the beginning of the century and the area in which my family resided was crowded with immigrants from many foreign lands: Italy, Ireland, Romania, Poland, Russia, Syria, Lebanon, and even China. (We lived not far from New York's Chinatown.)

A large segment of the population in that neighborhood had departed their native lands because they saw no promise of a better future there for themselves. The new Americans in our area appeared at ease in their newly-adopted country and it was equally evident that their children were very much at home in the public schools which offered them educational opportunities and hope unknown to their parents in their native countries.

There were many diverse ethnic and religious groups among the student population in my public school but we were never segregated according to "nationality" or "religion". (To tell it as it was, "race" was not a problem in those days: blacks were hardly visible in that predominantly European environment). In school, all of us were Americans; I believe most of us would have resented and rejected a hyphenated-American label and we developed among other commonly shared values a fierce loyalty to the institution that provided us the treasured educational opportunity and the chance for upward mobility not available anywhere else in the world.

For years I was aware of the tremendous contribution made by the public school system to the growth and well-being of our country and I recognized its important role in unifying the diversified ethnic and religious groups in the United States but I never realized the full significance and contribution of our public school system until I and my family spent a summer in Quebec, Canada, in 1940.

For the first time we saw and experienced the corroding effects of antagonism between English-Canadian Protestants and French-Canadian Catholics, two ethnic-religious groups native to Canada for centuries. We also learned at the same time that our English-speaking children were never safe from attack among French-speaking children when we turned our backs. We were aghast that our gentle six-year old daughter and her three-year old brother had to be under the protective care of an adult because the kids in that neighborhood had sized them up as "les Anglais" and treated them like enemies!

The unexpected overt enmity we witnessed among the children in Quebec expanded our knowledge of the consequences of a publicly-supported dual system of education. We personally viewed the effects of a dual system which perpetuated the differences that separated and divided the two ethnic-religious groups living side by side for hundreds of years. It was that summer that my husband an I developed a profound new respect and deep gratitude for the uniquely American institution that had unified numerous diverse ethnic segments into unhyphenated, non-belligerent Americans.

After that summer in Canada my husband and I committed ourselves to protecting and strengthening our public school system. Recent events in Northern Ireland reinforced our commitment to the American system and fortified our resolve to save American children from the traumatic experiences of their peers in Canada, Ireland, and elsewhere. My husband's untiring efforts in behalf of the public schools continued until his recent death. Shortly before he died he wrote a statement on the nonpublic school issue. He was Chairman of the Committee to Protect and Strengthen Public Schools at the time and I am taking the liberty of reading his testimony as representative of our organization's policy.

"There is a firm belief among many Americans that the public schools have an unique and vital function. They serve as no other institution does, to fashion a cohesive society, to instill loyalty to our country, and to teach democratic values. Unlike their nonpublic counterparts, the public schools are dedicated to serve children of all races, colors, creeds; of all ethnic, cultural, social, economic backgrounds.

"Our public schools make education available to all. The nonpublic schools are quite different: they are operated by special groups to serve special private purposes. (At this point it is important to make unequivocably clear that opposition to tax aid to nonpublic schools in no way implies a lack of respect for their right to exist and flourish.) A parochial school is as different from a public school as a Christian Science Reading Room is different from a public library and this difference makes the public library eligible and the other, ineligible for tax support.

"The parochial school is actually the church engaged in one of its most important activities, education. It is a place of sectarian indoctrination operated for religious ends and purposes. Dr. George N. Shuster, a well-known Catholic educator, expressed it this way: 'The major purpose of the Catholic school is primarily to develop religious knowledge and practice.' Father Mullin, Superintendent of Catholic Schools in Rhode Island has made similar comments as have a number of church leaders at various times. It can hardly be denied, therefore, that parochial schools are maintained to preserve and strengthen the faith. Tax aid to church schools eases the financial burden of these schools thereby enabling the church to continue and to expand its program of religious instruction.

"If the Constitutional 'free exercise of religion' means anything, it means that each of us has the right to support only the religious institution of our free choice and the right not to support *any* institution of religion. It is apparent that coercing citizens to support the doctrinal teachings and the spiritual objectives of a particular church violates the fundamental principle of 'freedom of religion'.

"A successful attempt by the church to secure public funds for its schools would undermine not only the 'freedom of religion' principle, it would destroy another cherished American tradition 'separation of state and church'.

"In addition to the constitutional issues involved tax aid to nonpublic schools is contrary to sound public policy. There is just so much tax money available for education. The diversion of public funds to nonpublic schools would disastrously weaken the fiscal foundation of the public system that is already critically underfinanced. Public schools increasingly deprived of urgently needed funds would become the dumping grounds for racial and ethnic minorities, for the low-income, the handicapped, the retarded, the problem students, and others not acceptable in nonpublic schools.

"The nonpublic schools are racially segregated schools. Nationwide, less than 1% of the students in nonpublic schools are black. In New York City, statistics reveal that while less than 10% of the children in nonpublic schools are blacks and Puerto Ricans, more than 48% of the total school population are blacks and Puerto Ricans.

"The parochial schools have always been segregated schools. The Courts have held that tax-supported schools may not practice segregation. The focus of Court decisions has been on racial segregation but racial segregation is only one form of student isolation practiced by parochial schools. One of the purposes of the church school has been to isolate the children of a particular religion from others holding different beliefs. The evidence speaks for itself. How many Catholic or Protestant students attend Jewish parochial schools? How many Jewish or Catholic students are enrolled in Seventh-Day Adventists' parochial schools? Denominational control and religious dogma offer effective barriers to those who do not share the same beliefs.

"Tax aid to nonpublic schools would be unsound public policy because it would tend to undermine interfaith harmony on account of calamitous competition. There are approximately 250 known religious sects in the United States. Under a system of tax aid for nonpublic schools, religious groups would have the right to establish their own schools. Consider the arm-twisting that will occur as clergymen and lobbyists of the various faiths put pressure on politicians for larger shares of the tax dollars. Will schools operated by Jehovah's Witnesses. Seventh-Day Adventists, Mennonites, the Amish, by the Buddhists, the Hindus, the Black Moslems be treated fairly and equally when funds are disbursed by elected officials?

"Our society is split as never before: the generation gap, the drug problem, the Vietnam War issue, the black-white conflict. There certainly is a limit to the amount of divisiveness a society can endure before complete collapse. Those who would risk an eventuality in their pursuit of public dollars must bear an awesome responsibility for the consequences."

To my husband's concerned testimony I add only the plea that we perpetuate the America in which he believed, the same America in which President John F. Kennedy believed, an America "where separation of church and state is absolute . . . where no church or church school is granted any public funds or political preference".

I respectfully urge you to use your influence and authority to assure that no church school is granted any public funds.

Senator **Pell**. Our next witness is Mr. Adlard Caovette, representing St. Joseph's Parish Council, Woonsocket, R.I.

STATEMENT OF ADLARD CAOVETTE, MEMBER, ST. JOSEPH'S PARISH COUNCIL, WOONSOCKET, R.I.

Mr. **Caovette**. Mr. Chairman and members of the committee, my name is Adlard Caovette and I reside at 2134 Mendon Road in the city of Woonsocket. I am a Catholic, I married and the father of three school-age children. I am a property owner, a taxpayer in the city of Woonsocket for over 20 years.

I am here as an interested individual and not as a representative of any group as such, although I am a member of the Woonsocket Regional School Board and St. Joseph's Parish Council. To begin with, I would like to thank you for the opportunity to express my feelings relative to the financial aid to nonpublic schools, whatever the denomination may be. There is no question that these institutions are in dire need of help. The news media is constantly reporting the closing of one school or another due to their inability to meet the rising costs of studies, salaries, and expenses in proportion to their rights. The area of my concern has principally been the parochial school system. Schools have operated for many years and have never been subsidized by anyone but their own local parishoners and the tuition paid by their students according to what their ability is to pay.

I say and I am certainly sure this committee must agree, that this type of school in reality has subsidized the public schools in the community where they are located throughout the country. Were it not for their help in education for thousands of children, this burden would fall on the taxpayers of the community, immaterial as to the religious belief of these taxpayers.

As an example, should the parochial schools of the city of Woonsocket be closed, it would be presently impossible for that city to educate all of its children in the public school system whether they have double or triple sessions. It is physically impossible. The present schools are already overtaxed with children and what would happen if another 3,000 or 4,000 kids are pushed into that system at one time? You know, I know, and everyone knows there would be complete chaos.

What would happen to local tax rates in Woonsocket? There would be an additional $2,700,000 increased expenditure at the present total budget of approximately $13 million. This, gentlemen, would not include the cost of the capital improvements such as new schools at today's costs and also the time required to construct these schools. The city would be faced with an impossible burden. The increase in the tax rate would be astronomical and many, many homeowners as well as tenants would suffer an increased cost of rents and mortgages particularly with today's cost of living.

Many would sell their homes if able to and/or move elsewhere, possibly closer to their employment and into another community which may be experiencing the same problem or shortly will be. This example of the city of Woonsocket does not restrict it to that city. It is representative of what is happening or will happen in many cities and towns throughout our Nation. Will you not agree that the parochial schools are really subsidizing the taxpayers throughout the country? It is now time for the situation to be reversed somewhat without placing any financial burden on anyone. The Federal Government spends billions on supersonic planes and scuttles it before getting it off the ground. It sends billions to other countries and receives insult after insult and sometimes finally is asked to leave or leaves millions in other countries. Farmers or so-called farmers are paid billions not to grow crops. There are so many areas of waste and yet nonpublic schools are allowed to close or struggle because some individual or organization continually cry about separation of church and state.

When all of the moneys given by the Federal Government to other governments are they asked if this money is to be spent for support of nonpublic schools?

Gentlemen, I feel that separation of church and state is not a legitimate reason to deny students attending nonpublic schools and I agree with the Constitution of the United States and the bill of rights when they were written to protect an oppressed people not from the church but the church from a dictatorial government. It does not say it cannot support private or nonpublic schools, it allows everyone the right to freedom of speech and religion. It would appear that today everyone is reading something else into the Constitution to suit their particular need. Let us look for the reasons behind the Constitution.

As to the method of subsidizing, I feel a direct payment for the school system rather than a fringe benefit of school lunch is necessary. The cost of salaries and expenses is really the cost of the dilemma that we are in. In closing, I, as an individual, am requesting that the committee with Senator Pell as chairman be in touch with our legislative leaders in Washintgon, Senator Pastore, Congressman St Germain, and Congressman Tiernan to elicit their help to find a way to assist in one way or another, these school systems which, in so many ways, is now floundering in a country based on justice and equality. One point further, Senator, that I would like to bring up and what Mrs. Finkelstein said is that they are dedicated to a better school system, better public school system and I agree with her, but I would like to ask Mrs. Finkelstein this question: There has been instances of the American flag pulled off the schoolrooms in public schools where it has gone up and it has been pulled down.

I would like to know how many flags are pulled down in nonpublic schools? Thank you.

Senator PELL. I am not sure that that is a germane question. I would agree that probably one of the advantages or reasons for church education is that the discipline is greater there, but I don't think the question is germane to what we are trying to do at all. With regard to how we can help, I think you will find that all the members of the Rhode Island delegation share this same view. I can't speak for them but you know, you are in direct communication with them yourself. The problem is to make sure that these needs are understood at the Federal level as well as here, I think, the administration is finding out itself that to translate the words of its President into action is difficult. Perhaps this hearing will come up with some ideas. So far, I regret to say that we haven't come up with a new idea although we are looking for them.

Mr. CAOVETTE. Personally speaking, I feel that as to the tax program I am not looking for any tax concession to send my children to parochial school, I will take care of that. I am saying please keep the schools open.

I wish I could go along with the feeling of some people that the schools will exist for a number, say 3 or 4 years, but I doubt very very strongly and I feel that we have had one more year to go. If we do not have any relief they will not be existant. I am saying I will take care of my concession, I will take care of my own children and it is not the free school lunch program, I am not looking for free books, I am saying I want the system continued so that I may be allowed to send my kids to it, that I be allowed the choice of sending my children to a school that shows the moral values and the discipline that I want my children to have.

Senator PELL. The point at issue is not your right to send the children to the school, the question is whether your tax dollars and Mrs. Finkelstein's should be into private schools. This is the great basic point that we are arguing back and forth, not denying the right of your children to be taught anything.

Mr. CAOVETTE. What am I putting my taxes in for, Senator?

Senator PELL. To send them to a school that is offered to you and we hope that there is sufficient alternatives so that if you don't find the public school system to your liking, there is another school system. The question is to figure out a way of helping the children and skin the cat in another way. What we are looking for is an answer to the problem without violating the Constitution.

Mr. CAOVETTE. I am certain with the delegation in Washington and with other able people such as yourself, a way can be found, a way can always be found.

Senator PELL. I don't share that conviction, I wish that I did. I know that in my community, Newport, in the past year we have seen the closing of three parochial schools, so when you say you have 3 years to go, you are lucky. I can assure you that I will do whatever I can.

Mr. CAOVETTE. You may rest assured that I will contact my Congressman and also Senator Pastore to see that he also moves in that direction.

Senator PELL. Thank you very much indeed for your testimony.

Our next witness is Mr. E. H. Gardiner, representing the Cranston Assistance to Parents and Education.

STATEMENT OF E. H. GARDINER, REPRESENTING THE CRANSTON ASSISTANCE TO PARENTS AND TEACHERS

Mr. GARDINER. Thank you, Senator, for inviting me here today.

Senator Pell, members of the clergy and fellow taxpayers, this hearing will bring out the proponents for aid to nonpublic schools and those who violently oppose it. Ironically both sides will be morally right. My personal feeling is that those who demand aid, rather than ask for it, are just as wrong as those who will not listen, concede or offer a constructive solution.

Whether one agrees that the nonpublic schools offer equal educational values to those of the public schools is immaterial. The one value that cannot be overlooked is that every child who is educated in a nonpublic school on an elementary level saves his community $750. On the secondary level, the saving to the community increases to $900. The willingness of parents to pay tuition for nonpublic schools should be encouraged.

The average property taxpayer in Cranston pays $600. Of this, $400 goes to education. The property taxpayer who, through freedom of choice, sends his child to the public school receives a just return for his tax dollars. The property taxpayer who uses the same freedom of choice to send his child to a nonpublic school receives no return for his tax dollars that are spent for education. When you live in a community, however, I believe that the cost for the services provided by that community should be shared by all. If I, therefore, demanded to be repaid the full $400 spent for education, it would be wrong. I feel it would be wrong because if the nonpublic schools fail, then I, as a taxpayer, would have the right to send my children to the public school even though I would be losing my constitutional right of freedom of choice.

Instead of arguing the value of public or nonpublic schools, why not focus on the new concept of helping "educating parents." By reducing the tax burden on these "educating parents," we would only be recognizing their problems in the same way that the problems of the aged, the blind and the veteran are recognized in the form of a tax exemption. When families are struggling to educate their children, it doesn't mean a damn what school systems they chose, they need help. "Educating parents," especially those who pay property taxes, are overburdened. Property taxpayers pay a tax of, on the average, three times that of a nonproperty owner. Yet, both share equally in the services provided by the community. This is not a rash statement. I have letters from real estate firms attesting to it.

A property tax exemption for "educating parents" has been introduced in the general assembly for a Supreme Court ruling. A plan called CAPE which would reduce the "educating parents" property tax by $100 per family. Would a $100 rebate to an over-burdened educating parent be so hard for opponents to accept? It would mean that the average nonpublic educating parent would still be contributing $300 of his tax dollars to the public school system and the $100 rebate would allow him to support the nonpublic school.

The $100 rebate would also give a helping hand to the public school parent. He's got problems, too. The effect of inflation on the costs of children's clothing alone is staggering. If other property tax exemptions now on the books are legal and constitutional, I see no reason why one more could not be added. If education were to be financed by the State or Federal Government, would a property tax exemption for educating parents still be valid? Why not? The other tax exemptions would still be valid. Incidentally, I am eligibe for a veteran's exemption of $56, and every year I take this $56 and apply it to the tuition at the nonpublic school that my children attend. Does this make the veteran's exemption illegal and unconstitutional, and will you repeal it because of the way I chose to use it?

In regard to the manner in which schools should be financed, everyone is passing the buck. The cities say the States should pay, the States say the Federal Government should pay. Who are some politicians trying to kid? Whether I pay $400 to the city, to the State, or to the Federal Government is immaterial. It still has to be paid. Local property taxes as a means to support education has been ruled unconstitutional in California and Texas because each community does not fare the same. It would seem to me to be just good common sense that the State could subsidize a community not having a broad enough tax base to bring the "per pupil" spending to an equal level. In this manner the very personalized business of education could still be controlled, as it should be, by local people with local interests to maintain.

In short, my approach would keep the taxes down for everyone. If the nonpublic schools fail, it will cost my community a minimum of $1,200,000 to educate the present nonpublic students in the public schools. The CAPE exemption would cost the community $600,000, but would also save the taxpayers to my community $600,000. Of the $600,000, $500,000 would go to public school parents and $100,000 to nonpublic school parents. I feel sure that the parents of the nonpublic school in my community would use their $100 rebate to support the schools which we have been struggling to save. The $100 could be added to the present tuition schedule, thereby channeling $100,000 to the schools in my community. Since the rebate would be paid to the parents, they would have complete freedom to use it as they chose, thereby avoiding any entanglement. The public school parent could use his rebate to sponsor additional courses, activities, and so forth, through his PTA. Or, he could simply use it to help in his battle with inflation. Through this exemption, the parents would be helped, the community would be saved money, the multischool system would be kept alive as would our precious heritage of freedom of choice.

Testimony at a public hearing in my community brought to light the fact that the nonpublic schools are suffering a $150,000 annual deficit. If these nonpublic schools fail and these nonpublic school students have to be absorbed by the public school, the public schools could face overcrowding. This overcrowding could force the community to either build a $2 million school or to adopt a controversial plan such as compulsory year-round school. Then those who are so militant that they oppose any constructive solution may find the taste of victory to be sour instead of sweet.

I do not contend that public funds should be used to support private education but I do contend that it would be just to lighten the tax load on the parents to allow them to support it. Thank you, Senator.

Senator Pell. Thank you.

Let me make sure I understand your proposal. It is that each local taxpayer with children in the school system would receive a rebate of $100. What about parents that don't have children?

Mr. Gardiner. No rebate. It is a special class just like the special class for the aged, the blind and in other words, if we can write exemptions for blind people, help the aged that need help at that age. Now, we have made in the past property tax exemptions because of special needs and special people and we certainly could create one more special class of people which is the educating parent. This would be for all school systems, parochial, vocational.

Senator Pell. This would be parents of children from what age to what age?

Mr. Gardiner. Primary and secondary.

Senator Pell. Six to 18?

Mr. Gardiner. Right.

Senator Pell. What about parents who pay no taxes and have no children?

Mr. Gardiner. Nonproperty owners. Of course rebate is only paid to you if you pay a tax and the nonproperty owner would not benefit directly because he does not pay the property tax. He would still benefit in this manner here. If the nonproperty owner is in nonpublic schools he benefits that the school system has been saved and he will still have his choice of school systems to attend. He loses nothing. The public school man who is a nonproperty owner, he has the same school system. Now, in regard to equal protection under the law that a nonproperty owner is entitled to take for example an average single dwelling in the city of Cranston around $20,000. Now, as a property owner, he pays $600 and if he were living in a three-decker, and the real estate first attest to a general formula that is used to assess the rent in that three-decker, the cost factor is divided by three and those tenants, for example of that three-decker was assessed at $20,000, he basically is assessed $200 apiece for each of those family units. When we come down to family units, here is a single family dwelling paying for roads through my property taxes, school and so forth paying $600 and nonproperty owners living perhaps on the third floor would receive the same services for $200. Now, this is where the unfairness or discrimination comes into the nonproperty owner. When I pay my Federal income; in other words, the nonproperty owner has done a very good service by his community and when it comes into the Federal income tax as a property owner if I made $9,000 a year I can take the $600 off my income tax. The tenant who has contributed $200 through his rent cannot take any of this rent off his Federal income tax.

Senator Pell. This is a local proposal and not a Federal one?

Mr. Gardiner. What we are looking for is whether the nonproperty owner is treated fairly in this situation.

Senator Pell. What percentage of parents of nonpublic school children pay property tax in Cranston? Do you happen to know?

Mr. Gardiner. I would say on the the average that 80 percent in Cranston in both school systems are property owners.

Senator **Pell.** And pay a property tax. Have you ever brought this proposal up? It is a proposal that I would think would be constitutional and if the city of Cranston liked it they would do it.

Mr. **Gardiner.** I first mentioned it to the mayor of Cranston. He presented it to the city solicitors and they ruled the plan illegal and unconstitutional. I challenged the matter at a council meeting and was able to convince the council members that maybe perhaps they were not right and at least they should look into it. They then took it to the Finance Committee and they had a public hearing to see if I was right. What I said was in the parochial schools it would cost the city of Cranston $1,200,000 and this was not refuted and the number of exemptions was 6,000 property taxpayers who had children in the school system thereby, the plan basically was right. We said if the school system fails we have to spend $1,200,000 and this would be 600,000, therefore, saving the school system.

Senator **Pell.** It is constitutional and certainly ingenius, but I don't know how wise it would be. Wouldn't it result in many cases of a parent who has a child in the school system really receiving an extra exemption of credit which maybe he should have as a matter of public policy as you pointed out. So I believe what you are doing is giving a further exemption for a dependent child of that age.

Mr. **Gardiner.** An exemption is $100 per family, regardless of the size of the family. It goes for both public and nonpublic and you are not showing any partiality to any particular group. You are getting this $100 as I receive the veteran's $56 and regardless of how many children I have I am receiving $56, and it is legally constitutional. Were I a blind man I would only receive this $56.

Senator **Pell.** All right. I think I understand you. Thank you very much.

Our next witness is Mr. Frank Boyle, chairman of the Regional Catholic Newport County School Board. He is a very old friend and advisor of mine and I am very glad indeed, he is here. I know exactly how busy he is and I am glad he took the time to come up here. I don't know of anyone who knows the situation better, particularly in our own community.

STATEMENT OF FRANK BOYLE, CHAIRMAN OF THE REGIONAL CATHOLIC NEWPORT COUNTY SCHOOL BOARD

Mr. **Boyle.** Thank you, Senator. I thank you for taking your time to come up here to be with us today.

I am chairman of the Newport County Catholic Regional School Board and a member of the Diocesan Board of Education of the Roman Catholic Diocese of Providence. I do not appear here in either capacity, and my views are solely my own.

I appear as a parent and as one necessarily concerned with the moral climate in our society. When it becomes fashionable to ignore the law based upon personal predeliction instead of principle, I must be concerned. I am not an educator, but I know that total education must include an exploration of the subject of morality.

I know, as everyone else must know, that education is not so simplistic as to be limited to the three R's. Each and every teacher must provide not only information, but also attitude—attitude with respect to do's and don't's—even preschool children are subjected to instruction by television with respect to what is a dobee and what is a don't-bee. This instruction is not based on a constitutional principle. It is, in essence based on a moral principle. And the moral principle that is applied is that of the teacher not the student.

We are painfully familiar with the immediate effect of the decision of the U.S. Supreme Court in *Lemon* v. *Kurtzman, et al*, June 28, 1971, which involved among other issues, the validity of the so-called Rhode Island salary supplement act. The Supreme Court held that salary supplement to teachers in Rhode Island nonpublic schools were unconstitutional in violation of the first amendment to the Constitution. Nothing, so far as I know, has been said of one aspect of that decision, which very greatly troubles me. The Court held that the salary supplement involved the State in excessive entanglement with the church—especially in Rhode Island—the Roman Catholic Church. The reasoning of the Court by Mr. Justice Burger, in the majority opinion has, in my opinion, consequences far beyond the limits of this opinion. The Court, in part, stated:

> The state must be certain, given the religion clauses that subsidized teachers do not inculcate religion.

A comprehensive discriminatory and continuing State surveillance will inevitably be required to insure that these restrictions are obeyed and the first amendment otherwise respected. Unlike a book, a teacher cannot be inspected so as to determine the extent and intent of his or her personal beliefs and subjective acceptance of the limitations imposed by the first amendment. These prophylactic contacts will involve excessive and enduring entanglements between state and church. I believe the language is pretty much to the nub of the Court's decision in *Lemon* v. *Kurtzman*. I think that possibly the Court was thinking in terms of the situation where the teacher in the classroom in the mathematics lesson might say to his pupils, "Please tell me how many apostles there are in a dozen." Or, perhaps might ask the question, "If the Pope weighs 160 pounds what is the metric equivalent."

What I am concerned with, is how does this language of the Supreme Court in the *Lemon* case apply to public schools? If the State becomes excessively entangled with the church, in surveillance to assure no religion is taught, does it not have precisely that responsibility with respect to public school teachers? Indeed in article XII, section 1 of the constitution of this State it is provided:

> The diffusion of knowledge, as well as of virtue, among the people being essential to the preservation of their rights and liberties, it shall be the duty of the General Assembly to promote public schools.

I am concerned that it is not possible to teach without some moral basis and instruction, and, if this is so, the State has the responsibility, under the first amendment to assure that this does ont occur in the public school. Is it possible that the same type of surveillance which the Court foresaw in nonpublic schools is required for public schools?

Certainly, there are those who contend that teachers can teach without resort to moral principles—I doubt that most of us could find that this is either a responsible or sensible proposition. I must wonder why those who publicly espouse civil liberties have delayed so long in taking up the cudgels against at least some public school teachers who would be quick to admit that they do inculcate their own students with their own moral principles.

What I am suggesting is that the Supreme Court has adopted a test concerning first amendment violations which is utterly unrealistic and unworkable. Its opinion is, however, the law of this land, and we are required to comply with it. But, this compliance must be on the part of all citizens—parents whose children attend public as well as nonpublic schools. I am frankly skeptical that parents are willing to accept public education devoid of morality. We are a nation founded on a belief in a Supreme Diety and most of us believe in a Supreme Being who is above the State.

If the State is to educate our children and is limited to imparting information only, then, I suggest that either democracy or public education has a very limited future. How can I be assured that a public school teacher is not inculcating moral principles in my child which are in disagreement or vary from my own, and, if I am in disagreement or at variance with the moral attitude of my child's teacher, how can I correct the situation. It is pure sop to tell me that I can correct this situation at home. In *Lemon* v. *Kurtzman*, the Supreme Court said in part; "Inevitably some of a teacher's responsibilities hover on the border between secular and religious orientation." If this statement is true of teachers in nonpublic schools, and I believe it is, then it must also be true of teachers in public schools. How can I, who as a parent, has the right and responsibility to educate my children, be assured that the moral principles with which my children are inculcated are the principles in which I have confidence? The State requires that I send my children to school. In other words, does the first amendment require that I submit my child to formal schooling in irreligion or a religion in which I have not confidence for 5 hours each schoolday? I think not. I believe that I have the right to send my child to a school whose philosophy and morality agrees with my philosophy and moral principles. I have the right, but, do I have an opportunity to exercise that right?

At the present time I do have that opportunity with respect to three of my children. I do not have that opportunity with respect to one of my children. Commencing in June of this year, I have no practical choice but to send all of my children of high school age to a public high school. I do not question the quality of public schools in my area—they are quite excellent. However, unless I know the moral principles of all my children's teachers. I am unable to make a judgment concerning the quality of my child's education.

Quite apart from the question of my own individual interest in the philosophy of schools, there is, in my opinion, a distinct threat to our democratic society, if parents do not have a choice of educational opportunities for their children. The quality of our public education with which I am familiar today is quite high, although, I am certain it has its critics. But, I am prompted to ask if we can reasonably expect that high quality to continue in view of rising costs and particularly if public education has no competition. I suggest that the history of monopolies in this country indicates that mediocraty may well become the standard to be achieved. I do not subscribe to the view that the State should be and must be the sole dispenser of formal education.

At the present time there are approximately 30,000 children in Catholic parochial schools i n this State instructed by 750 religious teachers. Much has been said and written about the demise of Catholic schools. Little recognition has been given to the vigor of those existing and to the hundreds of dedicated religious people who have given themselves to the continuation of these schools. They do not agree with the statement of Mr. Justice Douglas in *Lemon* v. *Kurtzman* that, "The whole education of the child is filled with propaganda." Rather, these dedicated individuals prefer to believe that they are seeking to infuse their students with knowledge and virtue which the Rhode Island Constitution states, is essential to the preservation of the rights and liberties of the people. In my opinion, these schools will continue. Their strength will and must depend on the desire of Catholics in this State to continue them. At the present time, in my opinion, that desire exists but is not expressed in the financial contributions made to support the schools.

I do not believe that total support of Catholic schools by the State or Federal Government would be constitutionally or institutionally advisable. These institutions to function effectively must be independent. This is not to say that assistance, at this time, is not needed. It is. But it must be assistance which does not deny or inhibit independence to the point that these schools do not function as Catholic schools.

Much is needed in terms of laboratory and library equipment, health and guidance services, to mention a few areas of need, to keep the Catholic schools competitive with public schools.

Parents who pay tuition for their children who attend Catholic schools are bearing a double burden. They pay taxes for public education as well. Tax credits would seem to be a constitutionally effective manner to avoid this inequity. It is no answer to say that since these parents elect to send their children to Catholic schools, they ought to bear this burden. They have a constitutional right to send their children to Catholic schools, as determined in *Pierce* v. *Society of Sisters* (268 U.S. 510), and their exercise of this right ought not to be penalized. Thank you for this opportunity to submit my views to this subcommittee.

Senator PELL. That was a very interesting and provocative statement. In the first place, going to our community of Newport, I think the quality of high school education is probably diluted by the closing of DeLaSalle High School and I understand that we have already lost accreditation, is this correct?

Mr. BOYLE. I'm speaking, of course generally, not of any particular school. Certainly if one considers the fact that they are on double sessions to dilute the educational opportunities to students, then the closing of DeLaSalle and St. Catherine's have accomplished that effect. I have a sophomore that goes to school at Noon and returns at 6 o'clock and others of his friends leave at quarter of 6 or 6:30 and go home by Noon. I don't think this is a good educational situation.

Senator PELL. I like very much your thought that education and virtue are inseparable and they are being taught or we hope it is usually the case.

Mr. BOYLE. I find great difficulty in applying this Lemon case to the public schools as I indicated, because it means according to the first amendment you can't teach religion in public schools and I see that in a sense, but you can't educate without some value system. It is impossible in my mind and so that it may be that Lemon goes that far to require that the State or even the Constitution of the State of Rhode Island wherein it provides that the public schools are established to promote virtue is unconstitutional, and it may violate the first amendment of the United States Constitution.

Senator PELL. What would you think would apply in Newport County with regard to getting a fair share of the educational programs, title I, title II, title III, E.S.E.A.? Do the church schools get their fair share?

Mr. BOYLE. As chairman of the regional school board I do not have specific details. We have the Federal programs and we are very well satisfied with the way things are functioning in our schools at this time.

Senator PELL. You feel you are getting a square deal from your viewpoint?

Mr. BOYLE. Yes, I have no complaint on that score, Senator.

Senator PELL. With regard to the future, is it your thought that a tax credit would be the best general approach if it could be passed and if it could be made both politically acceptable and constitutionally acceptable.

Mr. BOYLE. I think the credit is clearly a constitutional form of assistance at this point.

Senator PELL. Would you subscribe to the idea of credit that should also be a grant for those people whose incomes are such that they pay no income tax?

Mr. BOYLE. I want to assure you even though Representative McKenna and his friends reside in the same area, we both arrived without any discussion at all and I support his proposition that this matter of tax credit, reduced credit in terms of the grant is the better procedure. Now, I don't mean to rule out the tuition grants. There is a great deal to be said for those, and a great deal of thought in considering that those are constitutionally permissible in view of the decision of the Court, and in spite of the recent shift by the Court from one to another.

Senator PELL. It is your thought that the credit should be to the parents of all school-age children, no matter where the children are at school or only to those who did not wish to take advantage of the public school system?

Mr. BOYLE. I think to be more clear constitutionally, the grant should be all school-age children.

Senator PELL. Basically the setup under the present economic incentive where the larger families have an exemption.

Mr. BOYLE. Well, I think, having a large family, I know some of the educational expenses and am not so sure that would be true.

Senator PELL. You feel that the credit should be automatic, no matter what it is used for. Some who might not be as responsible as the general run of the community would have children who would be in public day care centers and things of that sort and we should have the opportunity to reverse grant provisions as to the source of income. How would one avoid that?

Mr. BOYLE. Well. I think you would have to require that the money was spent for education in one way or another. If the child was attending an institution which was providing education, and I haven't really thought out the details, you could make a sliding scale of credit, depending on what institution the child attended, whether it was a public institution or an institution which was not supported by public funds.

Senator PELL. I think we get into trouble in differentiation from the viewpoint of a Federal tax credit and I would think that would be between a public and private school, would it not?

Mr. BOYLE. I think not.

Senator PELL. A sliding scale with a different amount of credit involved?

Mr. BOYLE. The basis here is that the taxpayer gets the greater credit he is paying and this tax burden is twice to begin with, so that he is one that ought to be preferred over the one who is using the public facility. I don't see any constitutional objections to necessarily be discriminatory in a sense, but there is no constitutionally objectionable discrimination that I can see there.

Senator PELL. I see no constitutional objection unless one said specifically in the law that the child was in a public school the credit would be x and if it was at a nonpublic school it would be a portion of x. I think you would be getting into a constitutional problem because you would be recognizing within the law the church related school.

Mr. BOYLE. I wouldn't necessarily urge that if it becomes a legislative reality that there be discrimination. I am just suggesting there could be.

Senator PELL. I see. I think the simplest and the easiest way of getting through the problem for this kind of proposal would be to go as suggested earlier to the Finance Committee on Ways and Means in the House where we have a very fine reception but it would not go before the Labor and Public Welfare Committee.

Mr. BOYLE. The difficulty is direct credit. I think taking right off the tax, this is a new kind of benefit to the taxpayers and something different than what they generally have except paid on foreign taxes and that sort of thing.

Senator PELL. Thank you very much again for your statement.

Our next witness is Mr. Edward Riley, representing the Warwick Catholic school board. I believe he has already left.

The next witness is Monsignor Arthur T. Geoghegan, representing the 10 regional Catholic Council of Rhode Island.

STATEMENT OF MONSIGNOR ARTHUR T. GEOGHEGAN, REPRESENTING THE 10TH REGIONAL CATHOLIC COUNCIL OF RHODE ISLAND

Monsignor GEOGHEGAN. The 10th regional council of Rhode Island. In other words, there are really two groups. You have the Catholic school board and you also have the council of regional boards. Mr.

Riley is the president of that council. That is the whole council, meanwhile, within that council you have 10 regions. Mr. Riley unfortunately is not here as the President of the State council of regional boards. Mr. Boyle is the chairman of the regional board of Newport. I would represent first of all, the council of regional boards and also region No. 1, which embraces the schools of East Providence, Barrington, and Bristol. I might add that I have been, of course, the superintendent of schools in Rhode Island. I am acquainted with the problems they have and I want to make it clear that I do not speak on behalf of the school board. I might add one other thing, that the regional council represents I believe, people at the grassroots level. At least 50 percent of each region is made up of lay people and the same is true of the whole Rhode Island Council. In fact, not too long ago, when the general assembly had that survey in Rhode Island education conducted it was found that within Catholic circles those who most wanted church related schools were the laity. Those who least wanted them were the clergy, and those in between them were the teaching sisters and I believe that is still true.

I would say that in representing these regions, I would represent perhaps more laity than either the clergy or the Sisters. What do the people at the grassroots want, the parents of pupils and the large number of men and women who must pay for two school systems because parents in conscience hold they cannot send their children to schools from which God is officially barred? They want public funds, Federal and State, allocated to the education of all children; they want this in the name of justice, and they want it now.

They are not asking for funds to construct schools, nor for an amount to equal the average expenditure per pupil in the local public schools. They are, however, asking for sufficient assistance to enable them to follow their conscience in the choice of a school for their children. They are aware that practically every civilized country in the world except America has assisted parents in making that choice. They are tired of being told, "If you do not want to pay for two school systems, send your children to the public schools." This is a repudiation of their right in conscience to choose the education their child should receive. They are equally tired of being told, "You have the right, but you must pay." This means your right may be exercised only if you have money. A basic right which cannot be exercised by the poor is no right at all.

The central issue is not aid to religion, but aid to parents in the exercise of the right to choose the kind of education they want for the child. Naturally, in any form of such aid there must be care that the principles of separation of church and state is not violated. I shall have more to say about the constitutional aspects shortly.

For the moment, I wish to stay with the question of public policy; namely, is it in the best interest of the State to provide some aid to parents who chose a nonpublic school for their children? The answer is clearly and strongly in the affirmative. It is desirable to afford citizens freedom in the choice of education for their children, and where that choice is based on conscience, it becomes a matter of justice. A diversity of school systems, like diversity in scholarships or the market-place should be encouraged. Not too long ago, Christopher Jencks, who is currently in Washington assisting the Commissioner of Education, stated:

> It seems to me that this lack of choice is at the heart of our educational problems. If so, the solution is to create a variety of competing schools, both publicly and privately managed and then give poor families a chance to choose among them. To some this will sound un-American, but to me the present monolithic system of urban education is what seems un-American.

The continued operation of existing nonpubic schools is, in effect, a subsidy to the public schools. Their continuation provides competition, a desirable stimulant for both public and nonpublic education. A few short years ago a task force of 100 men appointed by the editor of the Christian Science Monitor, urged public assistance to all children attending nonpublic schools, because the latter provide, in the words of that task force, "That most stimulating of elixirs, private competition." Or to quote again from the same source, "Competition with existing public school systems offers a promising means of improving both public and private education."

As to constitutionality, nobody should presume to predict what the decision of the U.S. Supreme Court will be respecting legislation involving the principle of church and state. Clearly, opening the door to unrestricted governmental grants to religious institutions would be totally at variance with the whole course of American constitutional law. But to hold that no aid whatever may be given, even aid which only indirectly or incidentally aids a church-related school is to adopt a symbolistic posture quite at variance with the past decisions of the court. A careful reading of the major decisions from Everson to Lenon and DiCenso would seem to indicate that a voucher on tuition grant given to every pupil, no matter what school he attends would be constitutionally acceptable.

How to implement this recommendation I leave to experts. The voucher should go to all children to avoid any litigation based on classification. Set conditions on its redemption should be fixed, especially restrictions to guarantee racial desegregation. The amount should vary, for example, there should be no more for a junior high school student than for an elementary, more for a senior high school student, than for a junior because the cost of education is greater at the higher levels. I do want to thank you very sincerely, Senator, for giving me this opportunity to express these views and thank you for taking so much of your busy schedule to make an inquiry into this problem.

Senator PELL. I am very grateful to you for your thoughts. As I understand you, the approach you prefer is the voucher approach rather than the credit approach.

Monsignor GEOGHEGAN. I would say first try the voucher approach rather than the credit.

Senator PELL. You know it is now being tried in Massachusetts and also on the west coast.

Monsignor GEOGHEGAN. On a very limited scale. It seems to me they have tried this in a large city, San Francisco, and the public schools are not very agreeable to this program. The opposition is usually from public schools.

Senator **Pell.** Also it is a program, that can be used by local option on a State level. However, since there is some objection from the N.E.A. and other groups, it would be hard to try for local approval in an area that had a strong tradition of public schools.

Monsignor **Geoghegan.** Senator, there is one problem. As it is now being tried out it is pretty much restricted to areas where there is manifest poverty. I would feel at the present time if this would be tried in Rhode Island most likely it would be Central Falls, but it does seem to me we're speaking here of all children. I am speaking of children going to Moses Brown School just as well as I am to any other school.

Senator **Pell.** As long as they are from Rhode Island.

Monsignor **Geoghegan.** Right.

Senator **Pell.** Has the idea been advanced to the State legislature?

Monsignor **Geoghegan.** It was.

Senator **Pell.** What was the effect, I do not recall.

Monsignor **Geoghegan.** Unfortunately, it was sidetracked. However, I think there are two things that need to be checked. One, I don't know whether this should be done at the national level or the State level, but I think the voucher tuition grant at one level perhaps and something else tried at another. In Canada there may be one, the Vancouver Province, which has not adopted it. But every province has adopted a method whereby the taxpayer is asked which way does he want the school dollar to go, to the public schools or to the nonpublic schools and this has been going on for 15 or 20 years. The quality of education is excellent in Canada and there is certainly separation of church and state in Canada. Everyone seems to be happy with it and there certainly seems to be a quality of justice there.

In other words, all you would have to do is simply build a school and it can be any kind of private school and a certain amount of money is allotted to you.

Now, naturally there have to be modifications in this country it is quite different from what we know, but I do think it is well worth looking at. We are not talking about a theory, we are talking about something that has been in existence in Ottawa for at least 15 to 20 years.

Senator **Pell.** I knew it existed in the Eastern part of Canada because the problem they have between the French Canadian——

Monsignor **Geoghegan.** To my knowledge every province except one and I suspect that one is Vancouver but I am not sure. I know it is in Ottawa certainly in Quebec, New Brunswick, and Newfoundland.

Senator **Pell.** Federal assistance provides about 7 percent of the cost of public education. If the needs of your school are the same as the needs of the public schools you are going to need more help than 7 percent. All the Federal help at present goes to public schools and if it went to private and nonpublic schools, it still would only be 7 percent of the operating costs which would not be a significant amount.

Monsignor **Geoghegan.** Every amount is significant.

Senator **Pell.** Earlier it was stated that the objective of church education was the promotion of the faith, would that be a correct statement?

Monsignor **Geohegan.** The purpose of a church-oriented education is to develop the total child. There is no doubt that in his total education there should be some province for God. I think it was Mr. Boyle that implied that he just didn't see how you could set up a sound moral system with God disbarred.

Senator **Pell**. I think it is rather significant from the viewpoint of some of the previous witnesses that there is a conflict here as to the purpose of church schools and one witness stated the view that the purpose of it was to promote the faith.

Monsignor **Geoghegan**. If this is what he says is the purpose, and I believe this is also what has been said by Supreme Court Justice Douglass, and this is absolutely untrue.

Senator **Pell**. That was my impression and this was what was quoted and my reaction was more the same as yours.

Monsignor **Geoghegan**. This would have to come from somebody quite unacquainted with what goes on. He must feel that a church related school teaches catechism all day long. Actually, in my survey made throughout the country, the church related schools have done very well against any kind of schooling with the exception of very small groups of maybe 10 in a class.

Senator **Pell**. Thank you again very much, Monsignor Geoghegan, for your statement.

Our next speaker is Mr. Garaberdian, who is a member of the city of Cranston school committee.

Mr. **Garaberdian**. Senator Pell, I find myself in that good old position of always near the end. Last year in the general assembly or 2 years ago there was 54 speakers and I was 54th at that particular hearing which started at 10 a.m., and was over at 5:15, so we are ahead of schedule.

Senator **Pell**. You are more lucky this time, you are not last.

STATEMENT OF ARAM GARABERDIAN, MEMBER OF THE CITY OF CRANSTON SCHOOL COMMITTEE

Mr. **Garaberdian**. I am a school committeeman and I am the father of two children. I have one child in public school and one child in private. I am an elected official of Cranston, the city of Cranston, and have been on the school committee for 5 years.

Your previous speaker mentioned some key words like grassroots and I come to you this afternoon to give you some of my observations relative to aid to education. It would be unrealistic it seems to me to consider nonpublic education without discussing public education. The problem in this whole thing centers around power. The people of this country, and I know many of the people in Cranston who we represent, find that our courts have developed a greater concern in some cases for the minority rights but not necessarily their freedoms, the freedom of rights of the majority. The inconsistent court rulings have left the public confused. Why do private colleges get Federal and State construction grants, yet there is no aid provided for kindergarten grades to the private schools and the public schools. We know that we get aid in a public law and it is possible that Federal construction grants provide for college facilities which provide places for religious worship, yet, don't provide private schools and public schools facilities for our classroom space.

Between the courts, teacher unions and the lack of courage by publicly elected officials, irreparable harm is done to the public schools. The schools are no longer publicly controlled, but simply publicly attended and in many cases not in the neighborhood of their own choice. The turn of events in the last few years have made a turnabout in the stand which I had about 5 years ago. When Cranston made the decision to appeal the textbook case, I opposed it at that time and I was totally opposed to all aid to private parochial schools. I always felt that a parent was responsible for the education of his child and if he elected to choose to go to private schools he should pay.

After 5 years of being on the Cranston school committee, I have come around to a philosophy which might not be the majority of the school board members and local control over education is diminishing rapidly. We have school committee members some 50 years ago that were given the care of the public schools and through the election process we thought we could elect school officials to represent them in everyday operations of the schools. What has happened since then? We have legislation in the State of Rhode Island, as in many other States. We have a powerful lobby in Washington, D.C., called the N.E.A. with 1.2 million membership and far more resources than the National School Board Association or any local school committee can muster. What has happened in our schools? Where we once had the elected officials making policy we have now through collective bargaining brought out an action where the teacher now is running the public schools and not the people.

We have certain public officials through the guise of consolidations and regionalization that bring about better schools but in doing so we lose our freedom, freedom of Cranston to run its own schools or the freedom of Warwick to run its own schools. Our schools have become inferior not better. We have a situation here in Providence where children are bused throughout the city, not that they want to go, but because someone has the bright idea of busing children around the city and by changing the scenery they are going to get a better education. This won't work. What happens in every major city in the country is we have found people moving to the suburban areas. We know about the Richmond case which only a week or two ago caused great problems.

We in the city of Cranston and people I talk to every day know what is happening, we know about Richmond and it is hundreds of miles away. Last year the city of Cranston organized a rally against regionalization, consolidation, and 3,000 people came. We called it a day of concern. I was labeled in some of the press media where they referred to me as a racist and I have never been, but my whole concern comes down to the local control of education. We have a serious problem on the public taxes collected from local property, we have a Supreme Court case on desegregation, we have the Richmond case, we have problems in terms of recent Supreme Court decisions saying it is OK to use public funds for college aid construction, but yet, it is improper to use the voucher system for private, parochial students. We have the situation in California where the U.S. Supreme Court ruled that in the area of low-income housing the power of the ballot box is above everything.

Teacher unions over the past 5 years—as a school board member I average approximately 1,000 hours a year—the teacher unions are one of the greatest problems confronting public education in America. Their powers are such that while they do not have the right to strike, they strike. The way things are going in this country I think that the great majority of the people would support a voucher system as suggested by the previous speaker.

I turn your attention, Senator Pell, to June 1969 Gallup Poll, where they indicated that 80 percent of those living in areas served by the public, private, and parochial schools would reestablish all three types of schools if they were to build in the communities. Thirty-two percent of those questioned rated the quality of public education above that of parochial and private education, 24 percent rated private schools highest and 21 percent rated parochial schools highest and 20 percent rated all three equal. So you see, already in the country, according to this poll, people aren't too sure what type of school system is really the best, but more favor private schools than the public schols. Here is the key, Senator. If tuition were free how would people go about choosing schools? Thirty percent of those questioned would send them to private schools, 29 percent would send them to parochial schools for a total of 59 and 41 percent to public schools. The four reasons cited for favoring nonpublic schools were in this order: Superior education, social prestige, discipline, and escape from racial difficulties. I only cited a few problems of public education while many of the speakers spoke about the problem of money and I say to them the problem of public schools outweigh the problems of parochial schools.

Their main problem is money and our problem has gone beyond that. We have a situation where we are losing local control of our public schools. We have a situation where the U.S. Office of Education recently furnished a report on gifted children in America where they said these kids have a higher retarded growth than children who are now in retarded schools.

We have not much in terms of Federal funds in the State of Rhode Island. Last year the expenditure for all schools was $145 million and the Federal funds were $4,415,761. It seems to me, Senator, after 5 years of being a board member and spending about 5,000 hours unpaid being involved in every type of situation, seeing parents who are afraid to go to their local schools because of some reprisal to their own child, the tactics employed by the teacher unions and I feel that what we must do is provide every parent money for their children and let each and every one of them select their own school. This is a complete turnabout for me, but I feel with the Federal decisions coming in the area of financing, busing question which bothers me more than any other question because it involves freedom, I think that you people in Washington, before this coming November, will find that many, many people will be contacting you and are going to increase their support for this tuition for the type of voucher system because many of them as in Richmond, cannot run out of the State. People in Richmond, according to the Wall Street Journal, are already buying properties in other areas. Those who feel that integration is the answer or busing is the answer are only finding resegregated situations. The point about different amounts of dollars as was pointed out by the previous speaker, and it almost seems that we prepared our texts together, although we have never been together before, but there is a necessity of different amounts of money for different school levels.

As far as the Canadian system, which was already mentioned and which I was prepared to mention, supporting nonpublic schools in Canada, that goes through the entire thing. I would close, Senator, by saying that I think the time has come that every parent will get far more in terms of educational tax dollars by returning the control back to the parent, back to the individual, back to the local communiy and people decide for themselves where the children are going to go to school. If they don't like it, they can go to another school and I believe in returning back to the school where 6 years ago in Cranston we had a local board of trustees and let the people run their own schools with as little Federal intervening and without as many State controls that we have today.

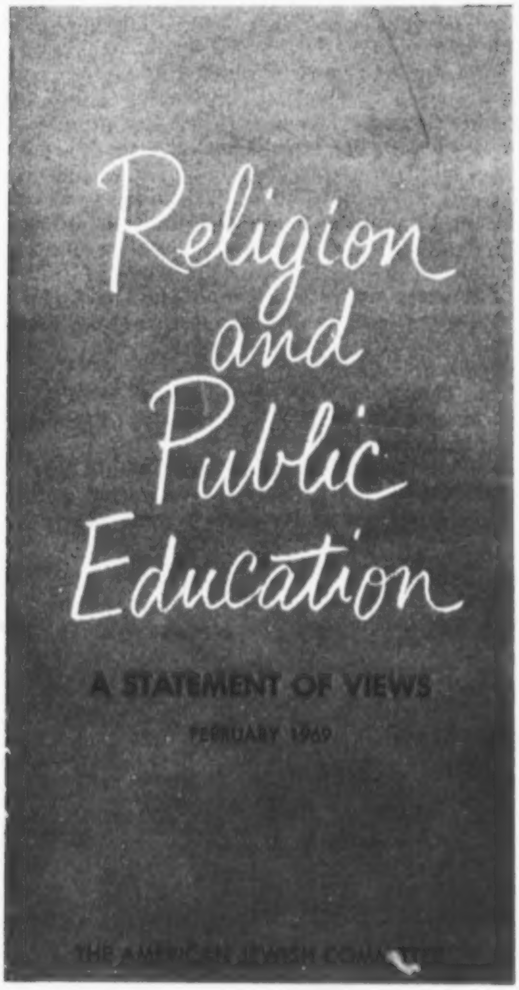
That is my feeling, Senator.

Senator PELL. Thank you very much indeed, Mr. Garaberdian.

Our next speaker is Mr. Walter Roberts, also of Cranston, R.I. I believe also that Mr. Roberts has left.

Now, is there anybody in the room who would like to testify? I should state here that Mr. Walter Adler submitted a statement.

(The prepared statement of Mr. Adler, with attachments follow:)



Religion and Public Education

A STATEMENT OF VIEWS

FEBRUARY 1969

THE AMERICAN JEWISH COMMITTEE

The American Jewish Committee is frequently asked to express its position on the many complex issues related to religion and the public schools. This statement of views is an attempt to respond to such requests.

The beneficent teachings of religion have contributed immeasurably to man's progress from barbarism to civilization. This country particularly, settled in large measure by those seeking freedom of conscience, has been profoundly influenced by religious concepts. With church affiliation in the United States now at an all-time peak, religion is certainly an important factor in our lives.

In the opinion of many, the vitality of American churches and synagogues flows from our unique tradition of separating church and state. This cardinal principle has insured freedom of conscience for all. It has permitted scores of religious sects to flourish without hindrance. It has enabled us to escape much of the sectarian strife and persecution which has marked the history of other lands.

Today, the long-established interpretation of the separation principle, especially as it applies to the role of the public schools with regard to religion, is still being debated. There is danger that this nationwide controversy may lead to a radical departure from our time-tested concept of public education as a secular institution.

There are, of course, many church-state issues unrelated to the schools—religious symbols on public property, for example, and issues touching on social welfare, health, recreation and communication. But since public education has been the center of recent concern, it is here that attention is focused.

Nature of the Controversy

Recurrent world crises have caused many Americans to question whether our moral fibre is strong enough to surmount the stresses and strains of troubled times.

Such soul-searching has provoked much discussion about the role of religion in the education of our children. Because of the increase in juvenile delinquency and other problems, some anxious parents are wondering whether there ought not to be greater religious emphasis in the public schools.

Some churchmen claim that public education in neglecting religion, has failed to perform its full function and that our children are therefore morally deficient. These critics contend that since the child's "working day" is spent in the classroom, it is incumbent upon the public school to provide opportunities for religious training and expression.

Other clergymen maintain that, in keeping with our constitutional principle of separation, the task of inculcating a religious outlook is the responsibility of the home, the church and the synagogue, and that it is not a legitimate function of the public school.

Quite apart from the role of religion in the public school, a very significant controversy exists with regard to the use of public funds for sectarian schools. Proponents of such aid argue in terms of what they conceive to be simple justice for citizens who pay taxes for public schools which they do not use, as well as in terms of the critical financial needs of sectarian schools today. Those who resist public aid for religious schools contend that such aid breaches the constitutional principle of separation and, that moreover, diverting public funds away from public schools embodies a grave threat to the future of public education.

Basic Premises

The American Jewish Committee's position with respect to this problem, which was reaffirmed at its Annual Meeting in May 1967, is based on two primary convictions.

1) *Separation of church and state, as defined by the United States Supreme Court in interpreting the guarantees of the First Amendment, offers a sound foundation for maintaining religious freedom.*

In the words of the Court:

> Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect "a wall of separation between Church and State."*

Applying the Court's pronouncement to education, three general conclusions emerge:

–The maintenance and furtherance of religion are responsibilities of the church, the synagogue and the home, not of the public school.

**Everson v. Board of Education of Ewing,* 330 US 1, p.15 (1947), reaffirmed in *McCollum v. Board of Education,* 333 US 203 (1948).

–The time, facilities, funds and personnel of our public schools must not be used for religious purposes.

–Public funds may not be used for aid to denominational schools.

2) *The public school is one of the chief instruments for developing an informed citizenry and for achieving the goals of American democracy.*

Any effort to revamp the school curriculum by introducing a religious emphasis would inevitably create divisive intergroup tension, thus undermining the effectiveness of our schools as builders of democracy. Therefore, to maintain the non-sectarian character of the public school system, satisfactory solution to the problem of religion in education is required.

Guiding Principles for the Schools

The public schools should continue to be governed by certain general principles dictated by experience, law and tradition:

–The schools should maintain complete neutrality in the realm of religion. They should never undermine the faith of any child, nor question the absence of religious belief in any child.

–While ordinarily the will of the majority governs in a democratic society, American tradition does not make this rule applicable to matters of religion. Freedom of conscience is sacrosanct.

–Teachers should not undertake religious instruction in the schools.

–Children of every shade of religious opinion should enjoy complete equality in the classroom. Thus, whether the child be Protestant in a predominantly Catholic community, Catholic in a predominantly Protestant community, or Jewish in a predominantly Christian community, he should be on an equal footing with all his schoolmates. Moreover, students with no formal religious training, as well as those who do not accept religious viewpoints, must stand as equals of their religiously educated, observing schoolmates.

–Pertinent references to religion, even to doctrinal differences, whenever intrinsic to the lesson at hand, should be included in the teaching of history, the social studies, literature, art and other subjects. Great care must be taken to insure that the teacher's religious identification or absence thereof does not color his instruction. Where discussion of doctrine is not relevant to an understanding of subject matter, the teacher should refer the children to home, church or synagogue for interpretations.

The Major Issues

Religion in the School Curriculum

Teaching about Religion: One of the most perplexing problems stems from the suggestion that the public schools teach about religion–in other words, that children study it in a factual way.

The merits of this proposal are difficult to appraise, especially on the elementary and high school levels, because there is no generally accepted definition of "teaching about religion." To some, it merely implies discussing the influence of religion and religious institutions on our civilization; to others, it means examining and comparing varying theological doctrines; still others feel it should also include teaching a common core of principles undergirding the major faiths.

The schools are, of course, obligated to provide our youngsters with insights into the ethnic and religious sources of American life. Such instruction, however, should not be regarded as "teaching about religion." Rather, it should continue to be viewed as an integral function of general intergroup education. In the same context, the public schools can and should instill in children an understanding of the origin and meaning of religious freedom, an awareness that our nation abounds in religious sects and an understanding that it is the genius of American democracy to welcome and respect religious diversity.

The schools should also foster an appreciation of the impact of religion on our civilization. Indeed, this knowledge is intrinsic to a well-rounded education. Such events as the Crusades, the Inquisition, the Reformation and the colonization of America would be hopelessly distorted if religious motivations were not given proper weight. It would be equally wrong to omit the Bible from courses in literature or to ignore religious influences in the study of art or music.

If, as some charge, teachers shy away from religious references even when they are basic to an understanding of subject matter, prompt investigation of current school practices is called for. A study of this kind would disclose whether our children are, in fact, being deprived of essential learning. Hopefully, it also would result in better handling of religious references in today's public school curriculum.

Teacher Training: One immediate need may be to improve the quality of teacher training. Many delicate and complicated matters are included in the public school curriculum. Often, they touch on serious emotional involvements stemming from religious differences. Teachers could be helped to avoid offending the sensibilities of children in their classrooms if all teacher-training institutions included in their courses of study the necessary sociological and historical background concerning the different ethnic and religious groups in our land.

Coincident with improved teacher training, there might well be experimentation in better methods of interpreting dispassionately the influence of religion on our civilization. However, experiments should be introduced only in a few selected laboratory or campus schools where the projects would be closely supervised by college or university faculties. Doctrinal encroachments should be carefully avoided. Test situations should be limited to an agreed-upon period of time and the results should be carefully evaluated with full consideration of pupil and community reaction.

Comparative or "Common Core" Religious Instruction: Any instruction in the public schools attempting to deal with religious doctrines on a comparative basis is undesirable. Teachers and school administrators would encounter great difficulty in determining where "facts" end and dogmatic belief begins. Indeed, the definition of religion itself would present a serious stumbling block, and the role of the teacher would become quite untenable. For instance, how would he interpret the Bodily Assumption of Mary? The Dietary Laws? The Trinity? The Nativity? Is he expected to conceal his personal convictions? One might well doubt that every teacher could do so. Should the teacher explore all points of view, thus making the classroom an open forum for religious discussion? And most important of all, would this not tamper with the child's traditional family faith during his tender, impressionable years?

It is likewise inadvisable, if not impossible, for the public schools to teach a common core of religious belief. Such instruction, in all likelihood, would be unacceptable to some religious groups. Moreover, teachers and school administrators would be subjected to severe pressures arising from the need to accommodate the conflicting viewpoints found in almost every American community.

In short, teaching about religion in the doctrinal sense is the function of the home, the church and the synagogue.

Some people urge that the schools affirm the existence of a personal God, in the belief that children would thus learn the source of our inalienable rights. Most people recognize that children should learn about God. But if this were done in a public school setting, the discussions concerning His nature and His revelation would inevitably lead to creedal divisiveness. Instruction in this subject matter, as in other areas of the curriculum, would necessarily be governed by a set of guiding principles, thus requiring the schools to adopt a body of religious principles. While a majority of the religious leadership might well agree on certain basic tenets, the difficulty of interpretation in the classroom would still remain, as would the problem of the unaffiliated minority.

The Clergy as Instructors: Some would invite clergymen into the classroom to give sectarian instruction to children of their respective faiths. This practice, which might well lead some children consciously or unconsciously to conform to one of the dominant faiths represented in the school, has been ruled unconstitutional.*

Stressing the Religious Faith of Our Ancestors: It has been suggested that the schools stress the moral and spiritual heritage handed down by the Founding Fathers, in order to bring home the fact that Americans are a religious people. Advocates of this proposal urge, as one way of carrying it out, a study of historical documents, such as the Declaration of Independence. For example, the New York Board of Regents, in a statement in 1951, expressed the belief that school studies would thereby be brought into "focus and accord," and would teach "respect for lawful authority." But it is also worthy of note that the Constitution of the United States contains no mention of God, an omission which was scarcely inadvertent.

There can be little question of the wisdom of pointing to the religious influences which motivated the Founding Fathers—though it should also be remembered that some of them were strongly anti-clerical. Nor is there any doubt that children should understand the religious values implicit in our great charters of liberty. However, any tendency to provide other than an objective historical perspective in the study of these documents should be discouraged.

Providing a Non-Sectarian Religious Emphasis: It is virtually impossible for public schools to provide "non-sectarian" religious education. Agreement is hard to achieve even on the meaning of this term. Sometimes it refers to religious instruction acceptable to a majority of the Protestant denominations, but not necessarily acceptable to others.

**McCollum v. Board of Education*, 333 U.S. 203 (1948)

The term is also used to denote the highest common denominator of the three major faiths. Assuming such a formula could be arrived at, it is all but certain that its practical application would be sectarian. The teacher's unconscious bias, arising from personal convictions or lack of them, would inevitably color his interpretation.

Moral and Spiritual Values: The public schools should continue to stress the moral and spiritual values basic to all religions. A good teacher tries to infuse the classroom experience with ethical content, sensitizing children naturally to the meaning of the Golden Rule, the sanctity of the individual and the codes of fair play whereby civilized man lives. These values are imparted not only by word, but primarily through the teacher's character and conduct, and the quality of his relationships with pupils.

Indeed, the total school environment should reflect and help to develop the highest moral and ethical values of our society. Thus, through all of the curriculum, the school should seek to develop character and responsible citizenship, and teach young people to judge and respect their fellows according to individual worth.

Some curriculum guides define "spiritual" values as moral and ethical ideals which have their sole sanction in religion. This tends toward the conclusion that those not religiously affiliated are morally suspect; that good citizenship and belief in God are synonymous. By taking sides in the age-old philosophical dispute over the ultimate sources of values, the school uses its authority to usurp the proper function of the home, church and synagogue, at the same time encroaching upon the right of personal choice in a matter of conscience. Our schools must recognize that there is no unanimity concerning the wellsprings of moral behavior; while many hold that the values which guide human conduct stem from the great religions, there are others who believe that these values derive chiefly from human experience.*

The Bible and Prayer in the Schools

Bible Reading and Prayer Recitation: Most people look upon the Bible as the source of religious inspiration. Children are taught to revere it as sacred. Therefore, the reading of any version in the public schools, except when explicitly undertaken as part of a literature course, must be regarded as a devotional act, inappropriate for classroom or assembly.

Organized prayer, whether spoken or silent, constitutes an act of worship and has no place in public school classroom or assembly. Therefore, recitation of the Lord's Prayer—on the mistaken assumption that it is universal rather than sectarian—is improper.

In several cases that reached the U.S. Supreme Court in recent years,** the Court has held that neither Bible reading nor prayer recitation in the public schools is permissible under the Constitution. In the *Schempp* and *Murray* cases the Court declared:

> The conclusion follows that in both cases the laws require religious exercises and such exercises are being conducted in direct violation of the rights of the appellees and petitioners. Nor are

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*The Educational Policies Commission of the National Education Association and the American Association of School Administrators, in its report on *Moral and Spiritual Values in the Public Schools,* (1951) suggests how these important concepts can be taught without violating the rights of any child.

***Engel* v. *Vitale,* 370 US 421 (1962); *Abington School District* v. *Schempp,* and *Murray* v. *Curlett,* 374 US 203 (1963).

> these required exercises mitigated by the fact that individual students may absent themselves upon parental request, for that fact furnishes no defense to a claim on unconstitutionality under the Establishment Clause. Further, it is no defense to urge that the religious practices here may be relatively minor encroachments on the First Amendment. The breach of neutrality that is today a trickling stream may all too soon become a raging torrent and, in the words of Madison, "it is proper to take alarm at the first experiment on our liberties."

Distribution of Gideon Bibles: Neither the Gideon Bible nor any other sectarian tract should be distributed on school property. Since religious groups are thereby aided in propagating their faiths, this practice has been held to be unconstitutional.*

Use of School Premises for Religious Purposes

After School Use: Where school buildings are habitually made available to civic groups after school hours, thus converting the premises to general community centers, religious groups should be accorded the same privileges enjoyed by other organizations. However, the buildings should not be used during school hours for religious education, meetings or worship.

Religious Census: It would be constitutionally invalid to extend public school facilities to sectarian groups for the purpose of conducting a religious-affiliation census.

Religious Holiday Observances

Although sectarianism has no place in American public schools, the problem of religious holiday observances cannot be resolved by a doctrinaire application of the separation principle. Many factors must be taken into account:

—Even before public schools were established in America, Christmas and Easter were celebrated in classrooms. These observances are therefore deeply imbedded in tradition.

—There are differences of opinion among both Christians and Jews, as to which aspects of the holiday observances are sectarian and which are not.

—The nature of each celebration varies from community to community, from school to school and even from classroom to classroom.

—For many people, these holidays have assumed the aura of national, as well as sectarian, events.

—Many Christians would resent the removal of sectarian content from the holiday program as an affront to religious conviction.

—Experience shows that a fair and objective public discussion of this problem is difficult to attain and that the attempt invariably induces community friction.

Under these circumstances, making a public issue of religious holiday observances in the schools can lead to no beneficial results in the foreseeable future. However, through informal discussions with school administrators and teachers, it may be possible to plan these events in such a way that no child's religious sensibilities will be offended by undue sectarian or doctrinal emphasis.

The alternative of joint observances, such as Christmas-Hanukkah celebrations, presents additional complications. Some see no difference in principle between celebrating a single religious event and holding a joint

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**Tudor* v. *Board of Education,* 14 N.J. 31 (1953), Certiorari denied by U.S. Supreme Court. 348 U.S.

observance. They feel that if one part of the program is sectarian, the wrong is simply compounded by adding still another religious emphasis. Others, however, believe that the joint observance fosters cross-cultural understanding by showing children how their neighbors celebrate religious holidays.

While joint religious holiday programs are not recommended, it should nevertheless be recognized that they do enjoy a measure of support in some communities. It would serve a useful purpose if schools in those localities would evaluate the programs for their effect on children.

Federal and State Aid to Education

It is abundantly clear to most people today that massive government assistance, Federal assistance in particular, is indispensable if the quality of education in America is to be improved. But public funds should be used to support public schools only. Extension of such aid, either directly or indirectly, to denominational schools is opposed in principle both on constitutional grounds and for reasons of sound public policy. To divert public funds to private schools, religious or otherwise, will weaken the fabric of public education. However, benefits directly to the child, such as lunches and medical and dental services should be available to all children at public expense, regardless of the school they attend, provided there is public supervision and control of such programs.

Within the context of the Elementary and Secondary Education Act of 1965, which was expressly designed to aid disadvantaged children, certain types of assistance such as textbook loans and remedial educational services on parochial school premises are not opposed, subject to judicial review of the constitutionality of this legislation. (By remedial educational services, Congress specified those benefits that were "therapeutic, remedial or welfare.") This Act (ESEA) is a complicated and confusing law which may or may not be compatible with the Establishment Clause of the First Amendment. Furthermore, recent studies of the implementation of the law on the community level have uncovered abuses which might ultimately cast doubt on the constitutionality of the law as a whole or of significant portion of it. For example, public school teachers have been assigned to instruct parochial school students on parochial school premises in other than the "therapeutic, remedial or welfare" categories contemplated by Congress. While the teaching of art and music is surely enriching, it is doubtful that it falls within the congressional intent as manifested by the Act's legislative history, in contrast to the work performed by speech therapists, remedial reading specialists or guidance counsellors. In other words, implicit in the Act is a rather subtle and perhaps specious distinction between specialized educational services to benefit children and regular curricular instruction which would benefit schools.

In the implementation of any government aid involving children in sectarian schools, the following safeguards should be included:

1. No religious institution may acquire any new property, or expand already existing property.

2. No public funds may be used for any religious purpose.

3. To the maximum extent possible, the

expenditure or distribution of funds allocated should be controlled by a public agency.

In general, the distinction between health, safety and welfare benefits to *children* in all schools, and substantive educational assistance to non-public *schools* is a crucial one and must be maintained. Thus, while the U.S. Supreme Court in 1968 upheld the constitutionality of a New York State law requiring public school systems to lend secular textbooks to pupils attending religious schools,* such loans are so close to educational assistance to schools that they are opposed as unwise, unless the use of such textbooks is limited to disadvantaged children.

It should be stressed that the controversy over government aid to religious schools is not an issue juxtaposing one faith group against another. All faiths have their "separationists," as well as their "accommodationists," depending upon individual attitudes and values, and, even when persons of different faiths find themselves on opposite sides of this controversy, fellowship and cooperation in other matters need not be impaired. Interreligious good will does not require anyone to compromise basic principle.

Busing

While the constitutionality of public busing of parochial school pupils has been upheld under the Establishment Clause of the First Amendment as a welfare benefit to children, rather than assistance to religious schools,** the American Jewish Committee is opposed to such busing in principle.

Providing for transportation for religious school pupils does constitute aid, even if indirectly, to the religious schools themselves. Moreover, experience has shown that limited bus laws, once on the statute books, are readily expanded to permit the transporting of religious school children over distances which depart from the regular public school routes, thus imposing a financial burden on taxpayers beyond that initially contemplated.

If a state is justified in providing busing as a welfare benefit, to protect pupils from traffic hazards, it may be argued that the state has a corresponding duty to fire-proof parochial schools in order to protect pupils from fire hazards, or to heat such schools in order to protect pupils from cold. Hence, busing is seen by some not as an end in itself, but rather as an opening wedge toward the goal of full public subsidy of religious school operations.

Dual Enrollment

The American Jewish Committee is not opposed to Dual Enrollment or "Shared Time" programs–in which non-public schools send their pupils to public schools for instruction in one or more non-religious subjects, provided that certain basic safeguards are adhered to in their implementation.*

1. All pupils involved in such programs must be under the exclusive jurisdiction of public school authorities while on public school premises.

2. Parochial school pupils must be freely intermingled with regular public school pupils

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**Board of Education* v. *Allen*, 20 L. Ed 2d 1060 (1968).

***Everson* v. *Board of Education*, 330 U.S. (1947).

*These would include such courses as mathematics, science, industrial arts, home economics or physical education, which would ordinarily be included in the regular public school curriculum. Other subjects which have religious content would continue to be taught in parochial schools.

in all instruction and other activities provided for them by public schools.

3. All such instruction must be given solely by public school personnel, on public school premises, during regular school hours.

4. All decisions regarding books, materials, curricula, schedules and homework, as well as any other administrative decisions customarily made in connection with classes and other activities in the normal operation of public schools today, must be under the exclusive control of public school authorities.

5. There shall be no religious tests for teachers or other personnel in the public school system.

6. No public school classes may be cancelled or curtailed because of the needs of any religious group, nor may any other accommodation to any religious group be made by public school authorities as a result of "shared time" programs, other than those accommodations normally made to pupils in the interest of the religious liberty of pupils.

7. Provisions must be made within the public school system to oversee the implementation of each "shared time" program on a continuing basis and to evaluate its compliance with the safeguards cited above.

Released Time

Many communities have adopted the practice of released time, whereby children are excused from school with the consent of their parents in order to receive religious instruction. When conducted off school premises and without pressure on children to participate, this program has been held to be constitutional.* Nevertheless, released time is opposed for the following reasons:

—It threatens the independent character of the public school. Since part of the compulsory school day is "released" by the state on condition that the participating student devote this time to sectarian instruction, the state accomplishes by indirection what it admittedly cannot undertake to do directly—it provides a governmental constraint in support of religion.

—It is a mechanism for divisiveness which is repeated at weekly intervals throughout the school year. Even when most carefully administered, the program's inherent abuses become evident: subtle sectarian pressures are exerted by overzealous teachers; non-participating children are frequently embarrassed.

—The normal school program is disrupted. Because classroom activities generally remain static during the released time period, children who do not participate suffer an unnecessary loss of school instruction.

—The available data indicate that *some* children simply do not reach their religious centers. Where such unexcused absences occur, the program contributes to truancy.

Particularly deplorable is the fact that some communities continue to disregard the Supreme Court's ruling in the *McCollum* case by permitting released time classes to be held on school property.

***Zorach v. Clauson*, 343 US 306 (1952).

In Conclusion

Religion has flourished in this country, hand in hand with the American tradition of separation of church and state, which has served as a bulwark to religious liberty. And the public schools themselves have served as a great unifying force in American life—welcoming young people of every creed, seeking to afford equal educational opportunity to all, emphasizing our common heritage and serving as training grounds for healthful community living. Thus, the schools have performed an indispensable function, and any proposed departure which threatens to prevent them from fulfilling this traditional role must be weighed with the greatest caution.

Experience indicates that public consideration of church-state issues often engenders community tensions. Deep religious loyalties and antagonisms are stirred, and extreme reactions sometimes displace calm and objective debate. In discussing these problems, community groups therefore have a responsibility to guard against provoking interreligious tensions.

It is hoped that this Statement of Views will stimulate thoughtful discussion, and help to keep the public schools free of sectarian strife.

ajc

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November 1969

FOREWORD TO
STATEMENT OF THE
AMERICAN JEWISH COMMITTEE

on public aid to nonpublic schools
Subcommittee on Education of the
Committee on Labor and Public Welfare, House of Representatives

The American Jewish Committee, founded in 1906, was incorporated by Act of the Legislature of the State of New York in 1911. It now consists of 84 chapters and units throughout the United States, with a total of approximately 41,000 members.

It has long been a fundamental tenet of the American Jewish Committee that the security of all religious groups in this country depends in large measure upon the preservation of constitutional guarantees. In this connection, the Committee believes that the Establishment Clause of the First Amendment mandates the separation of church and state. Deriving from this constitutional principle is our conviction that government monies should not be allocated to denominational schools. The philosophy of the American Jewish Committee with respect to this issue is articulated in depth in the attached pamphlet, "Religion in Public Education - A Statement of Views."

PREPARED STATEMENT OF WALTER ADLER ESQ., PAST PRESIDENT, RHODE ISLAND UNIT OF THE AMERICAN JEWISH COMMITTEE

The beneficient teachings of religion have contributed immeasurably to man's progress from barbarism to civilization. This country in particular, settled in large measure by refugees seeking freedom of conscience, has been profoundly influenced by religious concepts. In the opinion of many, the independence of American churches and synagogues flows from our unique tradition of separating church and state. This cardinal principle has insured freedom of conscience for all. It has permitted scores of religious sects to fluorish without hindrance. It has enabled us to escape much of the sectarian strife and persecution which has marked the history of other lands.

Because the American Jewish Committee firmly believes in the principle of separation of church and state, it is opposed to governmental assistance to religious schools of all faiths. Such schools, whose reason for being is to propagate their respective faiths, should be maintained voluntarily by their respective faith groups, not compulsorily by the entire public.

In "Religion and Public Education—A Statement of Views," we say:

"Public funds should be used to support public schools only. Extension of such aid, either directly or indirectly, to denominational schools is opposed in principle both on constitutional grounds and for reasons of sound public policy. To divert public funds to private schools, religious or otherwise, will weaken the fabric of public education."

In the wake of the U.S. Supreme Court decisions, last June in Lemon v. Kurtzman and Earley v. DiCenso, which held that the use of state funds to purchase "secular educational services" and to supplement teachers salaries at sectarian schools contravened the First Amendment, a search has been underway for alternative means of alleviating the financial plight of many such schools. The American Jewish Committee, its "separationist" position notwithstanding, is deeply concerned about the quality education for all American childern and is sympathetic to the predicament of denominational schools and of parents who wish to utilize them. Committed as we are to the improvement of the quality of life of this society and to responsible social change, we have a moral and practical obligation to be concerned about excellence in education for all the children of this society. That, of course, includes the more than five million children attending Catholic, Protestant, and Jewish religious schools. They too are citizens and the quality and level of their contribution to the welfare of American society will be decisively affected by the nature of their education.

In this context, we call attention to a constructive partial remedy that is available to help meet the financial problems of such schools. The procedure called "shared time," (or "dual enrollment") permits religious school pupils to attend nearby public schools, on a part-time basis, for instruction in nonreligious subjects such as mathematics, science, industrial arts, home economics, and physical education. While in the public schools, such pupils would be under the exclusive jurisdiction of public school authorities and freely intermingled in all classes, with all instruction being given solely by the public school personnel on public school premises and during regular hours. Such pupils would, of course, continue within their religious schools to take those courses which have religious content or significance.

While "shared time" is no panacea, its advantages are apparent. Religious schools can be relieved thereby of the appreciable financial burden of teaching secular courses, thus enabling them to concentrate on sectarian instruction. By bringing more religious school pupils into public schools, racial and religious integration can be significantly advanced and, hopefully, intergroup understanding as well. Such programs should also help to develop broader community support for the pressing needs of both public and private education.

Subject to certain safeguards, the American Jewish Committee has endorsed the concept of "shared time." We believe that "shared time" does not violate the constitutional principle of separation of church and state. Obviously, children who now attend religious schools on a full-time basis would be entitled to enroll in public schools on a full-time basis if their parents so desired. There is no constitutional reason why such children should not ber permitted to enroll in public schools on a part-time basis.

In the case of *Zorach* v. *Clauson*, the U.S. Supreme Court in 1952 upheld the constitutionality of "released time" programs whereby children are excused from public schools, with the consent of their parents, in order to receive religious instruction away from public school premises. On the strength of the Court's "released time" decision, it is not unreasonable to assume that "shared time" is also compatible with the First Amendment.

We urge, therefore, that the Education Subcommittee of the Committee on Labor and Public Welfare give serious consideration to promoting the acceptance and implementation of "shared time" programs wherever it is administratively feasible to do so.

Senator **Pell.** Yes, the gentleman in the back of the room. Would you identify yourself?

STATEMENT OF BROTHER FRANCIS HUTHER, F.S.C., CHRISTIAN BROTHER AND NATIONAL SECRETARY FOR THE CHRISTIAN BROTHERS EDUCATION ASSOCIATION IN THE UNITED STATES

Brother **Huther.** My name is Brother Francis Huther, H-u-t-h-e-r. I am a Christian Brother and national secretary for the Christian Brothers Education Association in the United States.

In my work I come into contact with about eight colleges, about 150 high schools and 30 or 40 others, comprising about 120,000 students. Nearly all of them are in the Catholic school system and I am sorry to say also that part of our school system is the De LaSalle in Newport. I am very pleased to be here, Senator, and I must say I guess I am the last speaker, but I was most impressed by the hearing and by what I heard, the quality of the discussions on both sides and the general tenure of the arguments. It impressed me very, very much and I learned a number of things. I have learned first of all as I have on several other occasions when impressed by the tremendous recognition of the uniqueness of the church-related school on the part of those who oppose State and Federal aid to these schools. I do think opponents to school aid in their expressing of the unique kind of services the church-related schools give do make a real contribution to the argument, because they see in church-related schools a special kind of possible potential which, perhaps, some of us involved in the work do not ourselves see.

In fact, when I hear people like Mrs. Stanzler or Mrs. Finkelstein and hear about church-related schools I sometimes wonder if I am hearing about the same school system that I know from firsthand experience. It is important for those who are interested in the aid to these schools to recognize the civil liberties and other people who consistently remind us that Federal and State aid cannot come down without accountability to the State. Of course private schools and independent schools must as the civil liberties often remind us be prepared to give up some of their own independence. However, I think it is also important to remember in that same context that this giving in the public school as Mr. Boyle remarked, the public schoolteachers who operate on the public funds is not himself independent. I think in considering the question of aid the point that impressed me most today was Professor Beiser's remark that the only point in issue is not just technical constitutional issue, but that public policy desirability and the common good are also factors. It seems strange to me that the Constitution in this connection alone is considered unalterable.

The authors of the first amendment, we ought to remember, are pretty much the same people who condoned, if they did not actually support, slavery and kept out of the Constitution the civil liberties of American Indians and women and on these areas the Constitution certainly was altered. It would seem to me that wisdom which provided the Constitution with the flexibility to alter these unfortunate original provisions certainly ought to be alterable with other provisions.

Thomas Jefferson some place said in his opposition to rigid constitutionality that he didn't want his generation alone to have the glory of a new beginning and so, perhaps, we should have this, too. I think in order to approach the question of how aid is to be given, I think we need to approach it from a different point of view and this consists of first of all not just the way to get around constitutional provisions or legal technicalities, we need to examine the question of rights, the rights and liberties of persons. The first of these persons are parents. This point has been made a number of times today and I think that the opponents to aid to schools tend to minimize this.

I read a recent article by Paul Blanchard, a consistent opponent to aid to church-related schools, who refers to the argument of parental rights and gives no answer to it and this is unfortunate that many times the civil liberties take the same position.

In a recent statement after the summer decisions of the Supreme Court, the national chairman said we must expect new arguments about parental rights and that was, although, parental rights are not to be considered. I think we also need to consider student rights, the rights of students as persons. There can be great service to the people of the country, to citizens, to the courts, to educators on the rights of students against unwarranted search and due process and freedom of search, but these are not the only rights of the person and the rights of the individual as they are involved in education need really seriously to be examined.

The question of whether a young person is satisfied if his rights are honored when he is allowed to choose his own dress code or his haircut the way he wants to have it cut and then, at the same time, be compelled by a combination of compulsory school laws, taxation, and the channeling of funds into a single school system. This is an infringement and his rights need to be examined. It seems to me one of the basis of those who are concerned with finding ways to provide aid for children in nonpublic schools, one of the basis is the question of how the liberty of individuals will be sustained and the education in context. What must be done? Several things.

First of all, it seems to me there must be a willingness to find a solution. Part of the difficulty that I see on the part, not only of Congress or legislature or even on the part of many Catholic members of religious orders, if there is a belief in the validity of the system and its value as even its opponents testify to, then those of you who believe in it must reawaken our determination that the system will sustain, it will be sustained. Those who are responsible for determining the laws and consequently the direction of the culture of our country must also be prepared to consider the validity and contribution which this kind of pluristic school system may present.

Second, we have to be ready, as Dr. Burke said this morning, we have to recognize that the shape of education will change and that the school system as we see it is not the way it was 20 years ago and certainly will not be this way in the 1980's. There is changing methods of operations as schools develop and those who advocate this type of school system must be alerted. Unfortunately many people who advocate church related schools have a tendency to feel the way it was in the 1940's and 1950's and want to keep that kind of school in the possibility of cooperating in the development of campus-type operations such as the Parkway School of Philadelphia and this sort of operation is sometimes rejected or overlooked. Education is changing, the funding of education is changing and those who advocate nonpublic schools must be ready to accept this point.

Third, I think we must, as you pointed out in your opening remarks, be prepared to push the opportunities which are given to us. With the Aid to Education Act of 1965 many provisions in the State of Rhode Island are well implemented but in many parts of the country they are not. There is carelessness, indifference, and a lack of cooperation between public and private educators for which private educators are also responsible and this is defeating the purpose of this legislation. There is a need to push this and experiment involving sharing of schools and school services which several people pointed out and I believe Congress is involved in several of these, some of which are quite interesting.

Finally, it seems to me that some variations of the voucher assistance ought to be made available. People who fear the voucher system bring up all sorts of strawmen and false issues. The plan proposed by Dr. Freedman of the University of Chicago and by the Office of Education are complex and have the multiplicity of protection which in fact might make the voucher system so difficult for a church related school. It might not want to use it but the opportunity for the experiment ought to be there.

I would trust then, Senator, that the good will which has been shown in this meeting today will continue and I know that Congress and your committee will give every effort possible to deal with this serious issue of the rights of students, the rights of people which are involved and they are not only to be resolved by providing public education because public education and the education of the public are not the same thing. I think we have to learn that and recognize that.

Thank you very much.

Senator PELL. Thank you very much indeed. You gave an excellent summation of the testimony and a presentation of the different alternatives. Thank you very much.

Is there anybody else? Yes, come forward and identify yourself.

STATEMENT OF SISTER MARY ROSALIA FLAHERTY FROM THE SISTERS OF MERCY AND DIRECTOR OF EDUCATIONAL APOSTULATES, DIOCESE OF PROVIDENCE

Sister MARY ROSALIA. Thank you very much, Senator Pell.

I do not have a prepared statement because one was not requested.

Senator PELL. Would you identify yourself please.

Sister **Mary Rosalia F.** My name is Sister Mary Rosalia Flaherty from the Sisters of Mercy. I am the director of educational apostulates, and our community is the largest teaching order in the diocese of Providence. I am also a part-time consultant for the Department of Education and Work in title I and it is in this capacity that I felt I might be able to answer some of the questions that you had posed early this morning. My message is brief.

As you know, the allocations that will come to the State of Rhode Island if title I were fully funded is approximately $17 million. At the present time we have received in the vicinity of $5 million. I would urge you to attempt to get the full funding for that bill for the State. In doing this, it will aid the public schools definitely and indirectly the nonpublic schools. One of your questions this morning was are the nonpublic schools receiving a fair share or a fair shake of the money. There is no way—this bill is written in such a way that it is impossible to say that there is a percentage of money that should go to the nonpublic schools.

Senator **Pell.** Excuse me, it is not written that way, it is written simply so that when the child's needs are not being met.

Sister **Mary Rosalia F.** Yes, that is true. There is no way to see that so much of it should go to the nonpublic schools. The bill reads, the guidelines read there shall be given genuine opportunity for the child in nonpublic schools to participate in the program. The law says that the programs in nonpublic schools shall be comparable in scope and quality.

I wish to say that in the State of Rhode Island the record is very good as far as programs that are comparable in scope and quality for title I is concerned, because for the past year and a half it has been my responsibility to visit nonpublic schools and to work with both the public school agencies and the private school agencies on their title I program I just felt that since I had been here you might have questions in that area. I have with me a draft of a handbook that has been prepared by the Office of Education for participation of the nonpublic-school children in title I activity which I will be glad to leave as part of the record if you wish to have it.

(The information referred to follows:)

DRAFT
FOR DISCUSSION ONLY

Title I ESEA

Participation of Private School Children

A Handbook for State and
Local School Officials

PREFACE

Title I of the Elementary and Secondary Education Act (ESEA) was the first Federal aid to education program to authorize services for private school children. As well as setting a precedent, however, the inclusion of these services added significantly to the complexities of administering Title I.

The provision of services for children enrolled in private schools called for a whole new set of relationships, both administrative and programmatic, to be established and maintained. At the outset, no one really knew a "best way" to implement the law as it affected private school children.

Experience has been a critical factor in bringing a greater precision to the regulations and guidelines. In view of this, and recognizing a continuing need for clarification, there have been frequent requests for a handbook that would provide the following items: (1) A compilation under one cover of the passages from the law, the regulations, and the guidelines which pertain to the participation of private school children; (2) A brief explanation of the provisions of the law and the regulations; (3) Identification of the major problems encountered in administering the provisions and possible solutions to these problems; and (4) Suggested procedures to be followed in project development which create an opportunity for the meaningful participation of private school children in Title I activities.

As used in this handbook a private school is a school, other than a public school, which is operated on a nonprofit basis, satisfies State compulsory education requirements, and complies with Title VI of the Civil Rights Act of 1964. This would include schools operated by religious groups, independent schools, and community or "free" schools.

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I. THE PROVISIONS OF TITLE I AFFECTING THE PARTICIPATION OF PRIVATE SCHOOL CHILDREN

The requirements of Title I concerning the participation of private school children are found in the law itself and the regulations. Those passages of the law and regulations, as well as more detailed administrative guidelines, are reprinted in full in Chapter IV of this handbook.

The Law

In deceptively brief and rather simple language, Public Law 89-10 sets forth the provision affecting private school children in Section 105(a) and Section 105(a)(2) of Title I ESEA. Basically the law requires that the local educational agency (LEA) must provide special educational services for educationally deprived children enrolled in private schools. The provision of these services must be consistent with the number of educationally deprived children in the private schools, and Title I regulations emphasize this requirement. The law cites several examples of ways in which these services may be rendered, "such as dual enrollment, educational radio and television, and mobile educational services and equipment." Nowhere is a particular method of rendering services prescribed or mandated.

Of major significance is the fact that the law makes the provision of instructional services and related activities for private school children a condition which must be met before an application for a grant may be approved by the State Educational Agency (SEA). As the law presently reads, this would affect the entire application, not just that portion which does, or might be expected to, pertain to private school children.

Finally, the law requires each State to submit an assurance that it will comply with this requirement, as well as with the several other requirements of the Act.

Regulations and Guidelines

The regulations and guidelines spell out in detail the requirements of the law and the manner in which the law may be carried out.

Rather than proceed through these documents line by line, the subject matter is grouped here topically in an attempt to pull together under one heading whatever has been officially said on a given topic.

Eligibility of Private School Participants

Before determining the eligibility of Title I participants from private schools, it is important to understand the role of private school children in the determination of attendance areas. Attendance areas are selected on the basis of having large concentrations of children from low-income families. In making this determination, all of the children who live within that public school attendance area are considered, regardless of whether they are enrolled in a public school or a private school or not enrolled in any school. The purpose for selecting an attendance area is not to identify eligible schools but to identify the target population which is eligible to receive Title I services.

Once the eligible attendance area(s) is established, there are certain criteria to determine eligible children:

(1) The child must live within the designated area; and

(2) The child must be determined to be educationally deprived according to the criteria established by the State or local educational agency.

If a child qualifies on both these counts, he is eligible to be considered for Title I services, no matter where he is enrolled. However, this does not mean that every child who meets these criteria of residence and educational deprivation has an absolute right to Title I services. Each LEA is expected to concentrate its services on a limited number of high priority needs and on those children who are most in need of special assistance. This principle of concentration applies both to private school children and their needs and to public school children and their needs.

The consistent application of these concepts will resolve most of the eligibility problems. If educationally deprived students from the project area attend a private school outside the project area, they are still eligible for services, and the services may be rendered wherever it is most advantageous for the student. In other words, the services may be performed outside of the project area as long as the services are for educationally deprived students from the project area. On the other hand, if a private school, located within a project area, draws students from outside the project area, those students are not eligible for Title I services even if they are educationally deprived.

Children who attend a private school which charges tuition are not thereby excluded from Title I services. In determining eligibility for services an economic criterion is never applied to the individual child, either public or private school enrollee, after it is determined that he resides in an eligible attendance area. Neither is an economic criterion applied to the private school or private school population, because the private school is not the recipient of services. Consequently, the fact that a private school has an endowment or that a very small percentage of the students benefit from AFDC payments does not, in itself, disqualify the educationally deprived students at that school from receiving Title I services.

The most difficult situation arises in those school districts where there are no well-defined attendance areas and eligible schools are determined rather than eligible attendance areas. In such a case, the eligible school is always a public school, and the eligible population is the enrollment at that public school. Program Guide 64 points out that, in such a case, the private school children who "will attend or could attend that school" are not precluded from participation. In other words, if they are educationally deprived, they too are eligible. The problem involves determining which private school enrollees will or could attend the eligible public schools. In most cases the LEA will have a set of criteria for determining the enrollment of a particular public school. In close consultation with private school representatives, these criteria should be applied to the private school enrollment as a potential public school enrollment.

Such an application should result in the identification of the private school children who "will or could" attend a given public school.

Both because the private school itself is not eligible to receive Title I benefits and because Title I is a supplementary program, services may not simply go to all the students in a particular class or to the student body at large in a particular school, either public or private.

Provision of Services

Title I services are not specified by a predetermined set or list but are determined by the needs of the student. Services are no more specified for the private school child than they are for the public school child. As this or that group of children displays certain high priority needs, programs should be mounted to provide services which respond to those needs. The services provided for private school children do not have to be the same as, nor do they have to be different from, the services provided for the public school child. In both instances, the services must respond to demonstrable needs.

This is not to say that restrictions are not encountered in regard to providing services for private school children. The important thing to note, however, is that the restrictions, by and large, are not placed upon the type of service to be provided but rather upon the manner in which the services may be delivered (these restrictions will be discussed below).

Extensiveness of Services

It is very difficult, if not impossible, to state precisely the degree to which services must be provided for private school children. This matter is closely related to the preceding issue. Both the kind of service to be offered and the extent of its being offered are determined not by some decree or set formula but rather by a process of planning, needs assessment, priority setting, and decision-making which is carried on at the local level. There is no Federal requirement that a certain amount or percentage of money must be spent on each private school child--or, for that matter, on a public school child--nor is there any determination of a certain number or percentage of children who must be served.

There is no easy or ready answer to the question as to what constitutes a "fair share" of Title I services for the private school child. The regulations do require that the public school district provide "genuine opportunities" to private school children to participate in special educational services provided by Title I funds. These genuine opportunities must be consistent with the number of educationally deprived children and the nature and extent of their educational deprivation. Furthermore, Program Guide 44, Criterion 4.5, states that the services should be comparable in scope, quality, and opportunity for participation to those provided for public school children with needs of equally high priority.

This same criterion points out that the comparability of services should be achieved in terms of the number of educationally deprived children, the nature of their needs, and an equitable sharing in Title I resources.

Basically, what the regulations and guidelines are saying is this: When a group of children in a private school are found to have a need which is similar (not identical) to a need found in a group of public school children, the response to that need with Title I resources should be similar (not identical) in scope, quality, and opportunity for participation for both groups.

This presupposes, of course, that the educationally deprived children in the private school have been identified and that the nature and extent of their deprivation have been assessed. If this has not been done, it is impossible to say whether genuine opportunities have or have not been provided. The local educational agency (LEA) should be able to produce proof of such a needs assessment.

Program Guide 24, Section 10, points out the following as examples of participation that would not meet the regulations: Providing services at inconvenient hours, equating a trip to the zoo with extensive remedial instruction, or expending one dollar for an educationally deprived child in a private school as compared to 10 dollars (or more) for an educationally deprived child in a public school.

Role of the Private School and the Private School Administrator

The uniqueness of Title I stands out, perhaps more than at any other time, when the role of the private school, as an institution, or of the private school official is considered. The law very explicitly states that the educationally disadvantaged child living in an eligible attendance area, who is enrolled in a private school, is the eligible recipient of Title I services. However, no funds may go directly to a private school or private school official.

Under Title I, the public school authority must maintain ultimate control over and responsibility for the program. However, the regulations require public school officials to consult "with persons knowledgeable of the needs of these private school children." The guidelines assign a consultative role to private school "authorities" and private school officials.

The initiative for seeing to it that private school children are served rests legally with the public school agency. It is obviously to the advantage of the private school child if the private school administrator takes it upon himself to make contact with the public school agency and to assist in the implementation of Title I activities.

The private school administrator can make a claim to be consulted concerning the needs of private school children and to be involved in the planning process because he is a "knowledgeable person" as referred to in Section 116.19(b) of the regulations. It should be noted that the regulations, by treating the matter separately, regard consultation with private school representatives as something apart from meetings with advisory committees or parent councils. The consultation with private school representatives would be of a detailed and technical nature, getting into the areas of diagnosis, needs assessment, evaluation design, etc. It would be the results of this type of consultation that would be brought to an advisory committee or parent council. Consequently, the inclusion of a private school representative on an advisory committee or a parent council does not automatically insure compliance with the consultation requirement in Section 116.19(b).

Title I creates the unusual situation in which an educational program may operate within the private school structure but be totally removed from the administrative control and responsibility of the private school. It is against this background that specific questions concerning what can or cannot be required of the private school or private school administrator must be answered. The following are examples of conclusions drawn from this interpretation of the private schools' responsibility under Title I:

* The maintenance of fiscal effort requirement does not apply to private schools.
* A private school may not contract with the LEA to administer a Title I program. This does not prevent a private agency from performing a service other than administration under contract.
* The prohibition against the use of Federal funds to supplant State or local funds does not apply directly to private schools.

However, Federal funds may not be used to provide services which are normally provided by the private school.

* Ultimately, it is the legal responsibility of the public school agency to determine the needs of, gather data on, and evaluate the progress of the private school children in Title I activities. These tasks are included among those for which monies may be expended by the LEA. Private school officials and personnel are expected to cooperate with the public school agency in the execution of these tasks.

Since the private school itself cannot receive funds or services, the act does not make strict demands on the private school or the private school administrator. Administrative services or funds are not received, and, therefore, administrative tasks are not required. An important exception to this general rule lies in the area of civil rights. The private school authorities must sign the civil rights compliance statement before Title I services may be rendered on the private school premises. This prevents Title I services from being performed in schools or academies which are established for purposes of segregation.

Involvement of Parents of Private School Participants

As regards the involvement of the parents of private school children, the new regulations for Title I [Section 116.17(l)] call attention to the fact that the LEA should take "appropriate measures to insure the selection of parents to the parent council who are representative (s) of the children eligible to be served (including such children enrolled in private schools) . . ." Parent Councils should be organized to give the parents of private school children the opportunity to be members of the council. Care should be taken to avoid an organizational design which would, in effect, exclude the parents of private school children. This could happen in a situation, for example, in which the members of the parent council were selected from the public school PTA groups. At the same time, the regulations do not prescribe that a certain number or percentage of parents of private school children must be included on the council.

Delivery of Services

Title I services may be provided, within certain limitations, for private school students in the manner that is most effective in the local situation. No one single way of delivering services is mandated by the law or regulations. As a matter of fact, only a few methods of delivery are prohibited by Federal legislation. Both the law and the regulations cite several examples of how services might be provided, but these examples are not meant to be exhaustive of the possibilities available.

One of the methods mentioned in the law is dual enrollment. In this case, the private school child, retaining membership in the private school, attends the public school for special educational services on a part-time basis. The major problem encountered with this approach is logistics. Even when the private school is located very close to the public school, there are difficulties in scheduling, space, safety, etc. As distance increases, additional problems of transportation and loss of instructional time are likely to arise.

Another method is that of mobile educational services. In this case, the services come to the child, rather than vice versa. This approach may take many forms. The following are some examples: A public school teacher comes onto the private school premises to teach a remedial class; a mobile teaching lab with equipment and a teacher makes regularly scheduled stops at a private school; a speech therapist works with private school children on the grounds of the private school. This type of approach, while not problem free by any means, is generally a more satisfactory method of delivering services than most others.

Mobile equipment is also cited as a way to provide services for private school children. However, equipment alone does not constitute a program. The equipment loaned must be in support of a Title I activity and must remain under the supervision and administrative control of the public agency at all times. The equipment may be used and housed on private school premises as long as there is no likelihood that it will be used for purposes other than the carrying out of a Title I activity.

Restrictions and Prohibitions

Most of the restrictions or prohibitions which apply to services for private school children refer to the manner in which the services are delivered. For this reason, the restrictions and prohibitions are listed here even through some of the items will not relate directly to the method of delivery of services. Also, some of the items will repeat restrictions and prohibitions mentioned earlier in the text. This is done purposely so that all the restrictions and prohibitions that are contained in the law, the regulations, and the guidelines may be found in this one place. The restrictions or prohibitions are:

1. The services provided with Title I funds must meet the needs of educationally deprived children and not the needs of the private school.
2. In any project where private school students participate along with public school students in public facilities, the classes may not be separated according to school or religious affiliation.
3. Public school personnel may perform services on private premises only to the extent necessary to provide special services for the educationally deprived for whose needs the services were designed.
4. The services which may be provided are limited to special services[1] normally not available in the private school. (A service is special if it responds to an identified, special need of the child.)

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[1] The regulations, in Section 116(e), illustrate what is meant by special services by including several examples of such special services. The examples include, "Therapeutic, remedial, or welfare services, broadened health services, school breakfasts for poor children, and guidance and counseling services." The list is meant to be illustrative and not exhaustive of the possibilities.

5. The services provided with Title I funds must always remain under the administrative direction and control of a public agency. These services may not be administered by the private school.
6. Title I funds may not be used to pay the salaries of private school employees.[2]
7. The equipment loaned for the use of private school children on private premises can only be of a mobile or portable nature.
8. The equipment loaned must always be under the administrative control of a public agency.
9. The equipment, when located on private premises, may be used only for a Title I activity.
10. The equipment must be removed when necessary to avoid its being used for other purposes.[3]
11. The construction of private school facilities is forbidden.

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[2] This does not prevent, however, paying private school employees for services performed outside of their regular hours under public control and supervision, nor does it prevent the payment of travel expenses, stipends, etc., to private school teachers participating in workshops as described in Program Guide 24, Section 9. It should be noted too that there is nothing in Title I which would prevent the hiring of a member of a religious community as a public school employee.

[3] This does not mean, however, that the equipment necessarily must be picked up each spring and warehoused during the summer on public premises unless a failure to do so would result in its use for other than Title I activities during the summer.

12. No Title I funds may be used for religious worship or instruction.
13. Work-study assignments may not be made in such a way as to enhance the value of private premises or supplement activities normally financed by the private school.
14. Teacher aides performing services on private premises, as well as those in public schools, must be involved directly in a Title I activity.
15. Title I funds may not be used to contract with a private school to administer a Title I activity.

II. SUGGESTED PROCEDURES

During the development of a Title I project application, experience has shown that there are several steps and points of contact which are critical to secure the meaningful participation of children from the private schools.

1. Identify a staff person in the LEA to be responsible for the participation of private school children in Title I. If at all possible, this person should have a thorough knowledge of private school organization in the district. The private school representatives should be encouraged to establish a counterpart in their schools or central offices.
2. Make sure that children attending private schools have been included in the process for the selection of eligible attendance areas.
3. Identify all the private schools in the project area. In smaller districts this is not a big problem. In large cities it can become a major project. The U.S. Office of Education publishes a directory of nonpublic schools, and private school representatives are often well-informed about the existence of other private schools. The emergence of street academies and store front schools makes this step more complicated. Private school representatives should be encouraged to form some type of loose association for the purpose of easier communication.

4. Identify all children from the private schools in the project area who reside in the area. Contact and cooperation with private school representatives is essential at this point. In most instances, the private school representatives will have this information readily available.
5. Identify all the children from the project area who attend private schools outside of the project area. What at first seems like a mammoth task can be significantly reduced by contacting the private schools which are located close to the project area and such groups as the local churches within the project area.
6. Against the established goals and objectives, assess the needs of these educationally deprived children. Again, consultation with private school representatives is essential. The basis for assessing the needs of these children must be comparable, but not necessarily identical, to that used for public school children.
7. On the basis of the needs thus identified, and in consultation with private school representatives, determine and design the type of service to be provided. The evaluation design should be developed concomitantly and also in consultation with private school representatives.
8. Establish a process to insure a quick and effective response by appropriate officials to complaints involving the participation of private school children in Title I activities.

9. Be sure the parents of eligible private school children are represented on the Title I parent council.

The inclusion of private school representatives on mailing lists and invitations to Title I meetings guarantees on-going and up-to-date coordination in developing the project. For their part, private school people will find the participation of their students generally enhanced to the extent that they make it possible for personnel to attend meetings and assist public school employees in the gathering of data necessary for project development and program planning. Private school representatives should be encouraged to publicize Title I meetings among their own constituents.

III. SPECIAL PROBLEMS

The Federal law and its regulations contain a number of inherent complexities in the provision of services for educationally deprived children in private schools. The situation is not eased as the law is implemented in each of the 50 States, the five territories, the District of Columbia, and the Bureau of Indian Affairs. A handbook of this type would be incomplete without at least identifying some of the major problem areas encountered at the State and local levels in the implementation of this Title I requirement.

State Constitutions and Statutes

Many State Departments of Education found severe restrictions with respect to the kind of services that their respective State constitutions and statutes allowed them to provide to private school students, especially when those private schools were owned and operated by religious groups.

The following list illustrates the kind of prohibitions encountered when State constitutions and laws are applied to Title I. The list is not meant to be exhaustive.

* Dual enrollment may not be allowed.
* Public school personnel may not perform services on private school premises.
* Equipment may not be loaned for use on private school premises.
* Books may not be loaned for use on private school premises.
* Transportation may not be provided to private school students.

Sometimes such prohibitions exist singly in a given State. Not infrequently, the prohibitions exist in combination.

When Title I was passed in 1965, each State submitted an assurance to the U.S. Office of Education in which the State Department of Education stated its intention to comply with Title I and its regulations, and the State Attorney General declared that the State Board of Education had the authority, under State law, to perform the duties and functions of Title I as required by the Federal law and its regulations. While State constitutions, laws, and their interpretations limit, even severely, the options available to provide services to private school students, this fact, in itself, does not relieve the State educational agency of its responsibility to approve only those Title I applications which meet the requirements set forth in the Federal law and regulations.

A number of school officials realized that they could not submit the required assurance because of the restrictions applying to private school students which were operative in their States. The impasse was successfully resolved in one case by a State Attorney General's opinion which held that State restrictions were not applicable to 100 percent Federally financed programs.

Other States have proposed legislation which would allow the SEA to administer Title I according to the Federal requirements. Still others have applied the restrictions of the State to Title I and have relied upon the initiative of school administrators to develop a program that would meet the Federal requirements.

Administrative Organization and Structure

The organizational structure of both public and private schools creates a number of hindrances to optimal implementation of Title I. With the passage of ESEA, the public school agency suddenly found itself with a responsibility for certain private school children without the personnel or structure to acquit itself of that responsibility. The LEA and the SEA, by and large, had little information on private school children. Public school personnel were trained with a totally public school orientation. In only the rarest of occasions did a staff position carry with it specific responsibility for relationships with the private school sector. In some instances, there had been a conscious effort to maintain a "hands-off" attitude towards private schools in areas such as school accreditation and teacher certification.

Within the private school sector, administrative organization presented even more difficulties. Obviously, there is no one central office for all private schools. In cases where the school is operated by other than church groups, each school constitutes a discreet and autonomous unit. Each religious group has its own particular kind of structure. Roman Catholics represent the largest single block of private schools and have the greatest degree of central organization. But even these latter may show a variety of organizational patterns and lines of authority within a single LEA. Even when there is some central office, the staff is small.

Therefore, the public school official has trouble contacting the right person in the private school sector to assist in the identification of the children eligible for Title I services. The private schools often do not have the data and lack the capacity to develop the data needed for programming. Moreover, misunderstandings develop when a private school administrator is by-passed in the consultation process simply because the public school administrator mistakenly thinks he has "touched all the bases."

Another organizational problem arises from the fact that private school attendance areas are not coterminous with public school attendance areas. When private schools are organized into systems, such systems generally include many public school districts. Because Title I project areas are determined along public school attendance areas, and projects are commonly developed by single public school districts, administrative problems arise and the opportunity is ripe for misunderstandings.

Several States and some local districts have found it essential to designate a liaison officer to handle affairs between public and private school officials. Ideally, this person should be thoroughly familiar with private school organizational lines. Such an arrangement exists in Connecticut, where an administrative aide at the SEA level was given specific responsibility for providing leadership in the involvement of private school children, and in Chicago, where a new office with responsibility for public--nonpublic school relations was established. As part of the Title I application a few States incorpora a sign-off by local private school administrators to assure proper involvement.

Some private schools are making organizational changes so that information on their students can be more readily available to the public school agencies. Several nonpublic school associations have been organized within State boundaries. Almost half of the Roman Catholic dioceses have established a staff position with primary responsibility for assisting in the implementation of Federal programs in which private school children can participate. Another solution has been found in the formation of committees which cut across public and private school lines for the purposes of working out mutual problems.

The single most effective means to overcome organizational deficiencies is still the involvement of private school representatives in the planning process.

Logistics

Not the least of the difficulties in including private school children in Title I activities are the problems of scheduling, transportation, hiring and assignment of personnel, purchase and inventory of equipment, and arrangements for space. In those States in which public school personnel may not perform services on private premises, the difficulties are compounded.

There are no easy solutions to the logistical problems. However, experience has shown that when the legal situation allows several options, and good will exists between public and private school representatives, the logistical problem can be solved or reasonably reduced.

Leadership Needs

Because in most cases the participation of private school children in Title I services called for the breaking of new ground, the local administrator found himself in need of leadership and guidance. At times, a lack of clarity and direction created problems for the local administrator. While this present publication is expected to solve some of these problems, the State also needs to exercise a much more aggressive role in seeing that this provision of Title I is implemented. Through policies, support materials, and conferences, the State should assist the local administrator to understand the implications of both the Federal and the State laws.

Senator **Pell**. Thank you very much, indeed. Thank you for coming with this information which helps us. Do you have any other thoughts with regard to title II or title III or does that fall within your purview?

Sister **Mary Rosalia F.** That doesn't fall within my purview really.

Senator **Pell**. I thank you very much.

Is there anyone else? If not, I thank the gallant 12 who are still here at the end of the day. I would say that this has been a very interesting hearing. I think this has added a great deal to the knowledge of the subcommittee.

I would like to thank all the witnesses who appeared today. I believe today's efforts have been most helpful as we have spelled out the importance of nonpublic education in Rhode Island. The financial problems have been delineated. We have heard mentioned various methods to meet those problems, the voucher system, tax credits, better utilization of existing programs, property tax rebates. What has become evident however, is the fact that there is strong support and belief in the value of a dual system of education. Some method must be found to help that system. The only other alternative is a national decision to allow the dual system to phase out, a decision I do not think the majority of our people are ready to make.

I know for myself, I pledge my continuing efforts to seek ways to solve this present problem, although when it comes to presenting solutions, both constitutional and political, one runs into problems but I will do my best.

At this point I order printed all statements of those unable to attend this hearing and other pertinent material submitted for the record.

(The material referred to follows:)

Prepared Statement by Thomas Reilly

A short time ago several prominent people showed great concern for the future of the two party system. They argued in favor of the two party system because it gave the American people a choice.

The word "CHOICE" - this is the key word that justifies the existence of the nonpublic school system.

Like the two party system, the nonpublic school system gives the parents a choice when deciding which school they want their children to attend.

Like the two party system, which has led to a better form of Government, the nonpublic schools, in competition with the public schools, has led to a better educated society.

Many public school officials look at the nonpublic school system and marvel at the job it has done in educating students and the job it has done in developing student pride, not only in himself, but his school and his country.

If all the nonpublic schools were allowed to close, the public school system would be swamped by the deluge of students pushing into the already crowded schools. It would like require communities to start mass building projects to accomodate all the new students. More teachers would have to be hired, and possibly more land would have to be bought.

On the other hand, giving financial assistance to the nonpublic school students the overall cost of public schools would be kept at a minimum.

We parents who send our children to nonpublic schools are not only supporting nonpublic schools, but also the public schools by the taxes we pay. It cost the nonpublic school parent an additional $300. to $600. yearly to send his or her child to school. We parents have not minded this burden up to now because we have been exercising our free choice.

It has been indicated that the yearly cost to communities to educate a child in the public school is $800. to $1,000. with the cost still rising.

Like the public school system, the nonpublic school system's cost have been increasing despite the tenacity of school administrators to keep cost in check. Maintaining the nonpublic school system in its present form without some form of financial assistance is becoming rapidly impossible.

I feel the country has benefited greatly from the nonpublic school system. Its loss would deprive many students of an education that does so much to instill moral values, especially in this period of history where basic moral values are being discarded.

Parents have the will to continue the nonpublic school system, but do not have the money to support it. All we ask is for a sufficient sum of money, not only to enable us to keep our nonpublic schools open, but to lessen the burden on the public school system.

Thomas Reilly
THOMAS REILLY
32 Campbell Street
West Warwick, R.I. 02893

Memorandum of Law By Raymond L. Wise

Re: Constitutionality of federal aid to all schools, public, private and sectarian

Without violating the 1st Amendment, federal aid could be given to all schools, including those with courses in religion if:

1) Congress makes a finding of fact that the education of every child to the limit of his or her capacity, in an accredited school, is a vital and fundamental interest of the United States and important to our general welfare and national defense, and

2) The law reflects a proper secular legislative purpose, based on such a finding, and

3) The principal or primary purpose of the law is not to advance nor to inhibit religion, and

4) The statute does not foster "an excessive governmental entanglement with religion".

For example, the law might provide a sum certain to all schools, calculated solely on the number of pupils in the school. Or, again, the law might provide for the payment of a sum to each school, again based on the number of pupils in the school, sufficient to bring the amount annually expended per pupil up to the average amount spent per pupil by all schools in the United States. Congress could devise other and different plans. They would be constitutionally valid if they complied with the above four requirements.

Legal Argument.

There were some early indications that the law is as above stated.

In Bradfield v. Roberts, 175 U,S.291 (1899), the court approved the building of a hospital in the District of Columbia with federal funds, although the hospital was to be owned by religious orders.

In Quick Bear v. Leupp, 210 U.S. 50 (1908), the Court approved the payment of funds by the U.S. Commissioner of Indian Affairs to support Indian Catholic Schools on reservations.

In Pierce v. Society of Sisters, 268 U.S. 510 (1925), the Court struck down an Oregon law which required all parents to send their children to state public schools, saying that part of the "liberty" guaranteed to parents by the 14th Amendment was the right to direct the education of their children by sending them to sectarian schools.

In Cochran v. Louisiana State Board of Education, 281 U.S. 370; 50 S.Ct. 335 (1930), the Court upheld a law furnishing free textbooks to all students in all schools, public, private or sectarian. The Court said (at p. 375 U.S. and p. 336 S.Ct.) that the state's "interest is educational, broadly: its method comprehensive. Individual interests are aided only as the common interest is safeguarded".

The leading relevant cases since 1930 all support the theory that, if the main purpose of the law is a proper secular one, incidental or indirect impingement on religion does not render it constitutionally invalid.

Thus, in Prince v. Massachusetts, 321 U.S. 158, 64 S.Ct. 438 (1944), the Court upheld a Massachusetts child labor law, applying it to parents of a Jehovah's Witness child, who was preaching the gospel on the streets after hours. The child's welfare was considered superior to the indirect inhibition of religion. So also, it can be argued from this case, a child's education is a superior consideration to the fact that religion is incidentally advanced by the application of the federal law.

One of the principal cases supporting the view of the law here contended for is

Everson v. Board of Education, 330 U.S. 1, 67 S.Ct. 504 (1947). In that case, a New Jersey law authorized school districts to provide transportation of children to public and to private sectarian schools. The Court held that the 1st Amendment does not prohibit New Jersey from spending tax raised funds to pay bus fares of parochial pupils "as part of a general program under which it pays fares of pupils attending public and other schools".(U.S. p. 17; S.Ct. p. 512). It was not material that Catholic schools were indirectly aided. The same result would obtain if all fares on all buses were reduced for school schildren. So also do policemen, firemen or sewer systems or public highways indirectly aid religion. The only obligation of the state is to be neutral among religions, or as between religion and non-religion.

Everson would seem to follow logically from Pierce (supra). If parents have a 1st Amendment right to send their children to religious schools, the state can indirectly aid such schools as part of a general plan to aid all schools.

The two cases next succeeding illustrate the contrast between a plan which aids religion directly and is invalid, and one which aids religion indirectly and is valid.

In People of the State of Illinois ex rel McCollum v. Board of Education, 333 U.S.203; 68 S.Ct. 461 (1948), the Court held unconstitutional the Illinois public school plan under which pupils were released from secular study at certain hours on condition they attended classes in religious instruction in the public school building. The Court said it constituted an improper use of the tax established public school system to aid particular religious groups. It was the use of a public building for religious purposes and also the use of the public school system to provide pupils for classes in religion, both of which were impermissible as direct aids to religion.

However, in *Zorach v. Clauson*, 343 U.S. 306; 77 S.Ct. 679 (1952), the Court upheld a New York City Board of Education plan which indirectly aided religion. The New York City program provided for the release of public school pupils from school at certain periods to attend religious instruction in other buildings, not publicly owned. There was no evidence that any pupil was coerced in any way. The Court said the 1st Amendment prohibition is absolute, but does not provide that "in every and all respects there should be separation of church and state" (U.S. p. 312, S.Ct. p. 683), and went on to say that the people of the United States are religious and "their institutions pre-suppose a Supreme Being" and that "when the state encourages religious instruction ---- it follows the best of our traditions". (U.S. p. 313,314; S.Ct. p. 684).

However, there must be no direct aid to religion as a result of a law whose *primary* purpose is to aid religion. A state cannot compose a prayer - even non-denominational - and order it said at the beginning of public school classes each day (Engel v. Vitale, 370 U.S. 421; 82 S.Ct. 1261; 1962) nor can a state require the reading of "at least ten verses" from the Bible at the beginning of each public school day (*School District of Abington Township, Pa*.

v. Schempp, 374 U.S. 203; 83 S.Ct. 1560; 1963). In the latter case, the Court said that to be valid law, "there must be a secular legislative purpose and a primary effect that neither advances nor inhibits religion".

An example of what the Court regards as valid law which has an indirect effect of aiding religion is to be found in Board of Education of Central School District # 1 v. Allen, 392 U.S. 236; 88 S.Ct. 1923 (1968). In that case, a New York statute required school districts to buy and lend text books to students in all schools, including parochial. The Court held the law did not violate the 1st Amendment, as the primary purpose of the law was to aid education and the incidental benefit to religion did not render it invalid. The only obligation of the state in such matters is to remain neutral. The legislature had made a finding that "the public welfare and safety require that state and local communities give assistance to educational programs which are important to our national defense and the general welfare of the state". (With appropriate changes, the language might be useful as the basis for Congressional legislation).

In Walz v. Tax Commission of the City of New York, 397 U.S. 664; 90 S.Ct. 1409 (1970), the N.Y. Constitution exempted realty owned by a religious association from real property taxes. The Court held the provision was not a violation of the 1st Amendment; that the exemption did not establish, sponsor or support religion and did not interfere with the free exercise of religion. It constituted benevolent neutrality. The Court said each situation must be decided case by case and the dicta in some of the cases might be too sweeping and hence confusing. U.S. pp. 668 and 669, S.Ct. pp. 1411 and 1412 are particularly pertinent to our present inquiry.

At U.S. pp. 672 and 673, S.Ct. pp. 1413 and 1414, the Court said the legislative purpose "is neither the advancement nor the inhibition of religion ---". Certain entities foster the "moral or mental improvement" of a community and should be encouraged by tax exemption. In other words, churches happened to be part of a group of organizations which the state could aid as a general and proper legislative purpose.

(The same could be said of all schools !) State accommodation to religion is not limited to non-interference. Interference may be proper if there is not "an excessive governmental entanglement with religion". (U.S. p. 674; S.Ct. p. 1414). The case is replete with language, which supports the position here advanced: that, given a proper legislative purpose, incidental effect on religion does not render the law invalid if the effect is not the primary purpose of the legislation. There is a danger of bogging down in the dicta in some of the cases. The real question in each case is not are the church and state separated, but does the law interfere with religious liberty ? In Walz, the Government granted the exemptions because they contribute to the well-being and pluralism of society (U.S. pp. 687, 688, 689; S.Ct. pp. 1421 and 1422). The same can be said of aid to all schools ! The concurring opinions of Brennan J. and Harlan J. indicate that the same reasoning could be applied to aid to all education, public, private, or sectarian.

In Tilton v. Richardson, ___ U.S. ___; 91 S.Ct. 2091, (1971), the Higher Education Facilities Act of 1963 authorized federal grants to church-related colleges and universities for the construction of facilities. The recipients agreed not to use the facilities for religious purposes. If the agreement were kept for 20 years, the facilities became the permanent property, in fee, of the recipient.

The Court held the act was constitutional, except as to the 20 year provision, which was invalid as a contribution to a religious body and the original grant would then have the effect of advancing religion. The rest of the statute, however, was held to meet the four tests of constitutionality.

1) It reflected a proper secular legislative purpose;

2) The primary effect did not advance or inhibit religion;

3) It does not involve excessive governmental entanglement with religion and

4) It does not inhibit the free exercise of religion.

The Court said, at S.Ct. p. 2096, "The crucial question is not whether some benefit accrues to a religious institution as a consequence of the legislative program, but whether its principal or primary effect advances religion".

Tilton is the best and latest authority for the legality of the plans suggested in this memo of law. It states, at S.Ct. p. 2095, that criteria discussed by the Court in previous cases on the subject are merely guidelines. The implication is clear that, in this field, each case must be decided on its particular facts. If the law in question does not have the primary intent to aid religion, the fact that religion is indirectly aided does not invalidate the law.

The fact that the vesting of the property after 20 years was held invalid does not weaken Tilton as authority in support of the plans here proposed. The gift of a valuable building to a religious body by the federal government would be substantial and direct aid to religion. However, under the proposed plans, sums given to a parochial school to improve the school as a school would have the principal and primary effect of aiding secular education. The aid to the teaching of religious courses in that particular school would be incidental to a comprehensive plan to improve all education in the United States. That would be the principal purpose - and effect - of laws based on the plans here suggested. The advancing of religion would be only an incidental effect.

There are two other recent cases with bearing on the subject, Lemon v. Kurtzman and Earley v. Di Censo, decided together in ____ U.S. ____ 91 S.Ct. 2105 (1971). In those cases, there were two statutes under which two states attempted plans to give direct aid to religious school on condition that the grants would be expended only for secular purposes. The Pennsylvania statute reimbursed the schools for teachers' salaries, text-books and materials. The Rhode Island plan consisted of salary supplements paid to teachers of secular subjects in the religious schools.

The Court held that both laws were unconstitutional as involving excessive entanglement of state with church. The plans required continuing state surveillance of teaching in religious schools to ensure that the statutory restrictions were obeyed. The state had to inspect the school accounting records. Furthermore, since the amounts of the grants and their allocation among the various religious schools aided were fixed annually, they led to political division along religious lines, one of the primary evils at which the 1st Amendment was aimed.

The Court repeated the tests set forth in Tilton and said that even if the secular purpose was proper and the primary effect was not intended to advance religion, the excessive entanglement of state and church rendered the laws invalid.

The Court said, at S.Ct. p. 2112, "Our prior holdings do not call for total separation of church and state; total separation is not possible in an absolute sense."

White J, concurring in part and dissenting in part, (S.Ct. pp. 2135-2140) says much which would support the plans suggested in this memo.

For example he says "That religion may indirectly benefit from governmental aid to the secular activities of churches, does not convert that aid into an impermissible establishment of religion.

"This much the Court squarely holds in the Tilton case, where it also expressly rejects the notion that payments made directly to a religious institution are, without more, forbidden by the First Amendment" (S.Ct. p. 2136).

Again, at S. Ct. p. 2137, Mr. Justice White says: "Where a state program seeks to ensure the proper education of its young, in private as well as public schools, free exercise considerations at least counsel against refusing support for students attending parochial schools simply because, in that setting, they are being instructed in the tenets of the faith they are constitutionally free to practice."

The just preceding quotation is excellent language in support of the contention here made that aid to all schools can be validly legislated.

If Pierce permits a parent to send a child to a parochial school, anything less than equal treatment for such a school in a comprehensive plan to aid all schools would violate the neutrality the state is obliged to maintain toward religion.

There is much language throughout Lemon which indicates the Court would support federal aid to all schools. The paramount secular purpose - now fast becoming an urgent necessity - is full reason for the legal justification of the minor overlapping of the functions of church and state.

Summary

Any plan for federal aid to all schools on an egalitarian basis, which did not involve the government excessively in the business of a church oriented school, would be constitutional.

The cases cited above, from 1899 down to date support that statement.

The many indirect aids to religion as a by-product of a proper secular program, such as transportation of pupils (Everson), released time (Zorach), textbooks (Allen), tax exemption (Walz) and aid to universities (Tilton) were all held constitutional.

So also would the kind of plans here suggested be held constitutional.

Respectfully submitted,

Raymond L. Wise

Raymond L. Wise,
400 - 88th Street,
Surfside, Florida 33154.

November 11, 1971

February 29, 1972

Mr. Elmer H. Gardiner
107 Warwick Avenue
Cranston, Rhode Island

Dear Mr. Gardiner:

Thank you very much for your recent note and copy of your letter to Governor Rockefeller, which I will include in the printed hearing record on non-public schools.

Warm regards.

Sincerely,

Stephen J. Wexler
Counsel
Subcommittee on Education

February 18, 1972

Steven Wexler Esq.
Washington DC.

Dear Mr Wexler

Enclosed are copies of letters I recently wrote to Governors I thought would have an interest in the problem of "Educating Parents".

It would be my hope to spark your interest

Sincerely Yours
Elmer H. Gardiner

P.S.
I testified at the Senator Hearings on January 18, 1972.

GARDINER AGENCY *Complete Insurance Service*

107 Warwick Avenue
Cranston, R. I. 02905
Phone: 781-9119

February 1[illegible], 1972

The Honorable Nelson Rockefeller, Governor
State House
Albany, New York

Dear Governor Rockefeller:

Enclosed is a copy of a plan which I submitted to Governor Frank Licht of Rhode Island today. The reason I am sending you a copy is because of the recent unfavorable Supreme Court ruling in New York regarding aid to non-public schools. You were quoted in a recent article that I read as saying that you were looking for a way to help non-public schools and prevent their closing.

Also at this time in Rhode Island, a bill has been introduced into the General Assembly asking for a Supreme Court ruling on the legality and constitutionality of granting a $100.00 per family property tax rebate for families owning property and living in my community of Cranston. I am the author of this plan as well.

I believe strongly in the multi-school system and feel that it helps to keep the cost of public education down. I also believe in the Constitution and feel, therefore, that direct aid to non-public schools is an impossible dream. I feel that by giving tax rebates to parents of all school children you would solve two problems. First, you would be easing the burden of the middle class family man who is strangled by taxes, inflation, etc. Second, you would be providing funds to non-public school parents which they could use to add to their present tuition and thereby aid the school of their choice. Since the rebate would be paid directly to the parents they would have complete freedom to use it as they choose thereby eliminating any problem of entanglement.

Sincerely yours,

Elmer H. Gardiner

Encl:

E. H. GARDINER AGENCY *Complete Insurance Service*

107 Warwick Avenue
Cranston, R. I. 02905
Phone: 781-9119

February 10, 1972

The Honorable Frank Licht, Governor
State House
Providence, Rhode Island

Dear Governor Licht:

Enclosed is a plan which I have conceived to aid "Educating Parents" with children in public and non-public schools. I am in the process of contacting legislators to present this plan to the General Assembly. I believe that this plan would be legal and constitutional as it would rebate taxes to every family with school children, regardless of the schools they attend. A sales tax, as you know, is discriminatory against families with children. My plan is as follows:

The State of R.I. shall grant a sales tax rebate to "Educating Parents" with children in public and non-public schools. The schools would be on the elementary or secondary level. The rebate would be a minimum of $100.00 per family.

The amount of sales tax rebate shall be that shown on Tax Form 1040, Internal Revenue, under Sales Tax Deductions. For example:

Family of 4 earning $7,000.00 - $123.00
Family of 5 earning $7,000.00 - $137.00
Family of 4 earning $10,000.00 - $154.00
Family of 5 earning $10,000.00 - $172.00

In Cranston, there are 8,000 "Educating Parents" which would mean that the State of R.I. would be sending $800,000.00 at a minimum back into the economy, stimulating jobs and generating taxes. It could act as a type of revenue sharing.

As a result of this plan, the unfair burden would be taken off most family men allowing them to spend more for the needs of their families. Public school parents would be helped in their battle against inflation. Non-public school parents would have more spendable dollars to aid them in the payment of tuitions.

Since this plan would help all parents of both public and non-public school children, regardless of race, color or creed, it surely could not be ruled illegal and unconstitutional.

Sincerely yours,

Elmer H. Gardiner

[From the Congressional Record—House, Feb. 9, 1972]

TAX CREDIT FOR TUITION PAID TO ATTEND A PRIVATE NONPROFIT SCHOOL

(Speech of Hon. John W. Byrnes, of Wisconsin, in the House of Representatives, Tuesday, February 8, 1972)

Mr. BYRNES of Wisconsin. Mr. Speaker, I am today introducing legislation to provide a Federal tax credit to individuals for tuition paid for dependents to attend a private nonprofit elementary or secondary school. My bill would provide a credit for 50 percent of the tuition paid for a dependent up to a maximum of $400 per dependent. Books, fees, supplies, and other miscellaneous items would be excluded from the credit. The credit would be phased out gradually to the extent a taxpayer's income exceeds $25,000.

Mr. Speaker, the costs of both public and private education have grown dramatically in recent years and the dual burden of parents supporting the public schools as taxpayers and the private schools as parents of students paying tuition has become intolerable and inequitable. The difficulty of carrying this dual financial burden has created a crisis in private and parochial education at the elementary and secondary level, which is reflected in the declining number of students in these schools and the increasing number who are being educated in the public schools.

Between 1963 and 1970 the number of private and parochial elementary and secondary school pupils declined from 6.5 million pupils to 5.1 million pupils—a reduction of 1.4 million students. During the same period, public school elementary and secondary enrollments increased from 40.2 million to 45.9 million—an increase of nearly 6 million pupils.

The decline of private and parochial education is imposing heavy financial burdens on the public schools. The Office of Education estimates that the average per pupil expenditures for public elementary and secondary schools in fiscal 1971 were $858. If the number of private and parochial school students had simply remained constant between 1963 and 1970, instead of declining by 1.4 million pupils, the public schools would have spent approximately $1.2 billion less in fiscal 1971. The savings would have been substantially greater, if private and parochial schools absorbed their proportionate share of the growth in student enrollments during this period.

The present situation requires corrective action. While the public schools provide the backbone of our educational system, private and parochial schools have traditionally played an important role consistent with the genius of American pluralism. The financial crisis private and parochial schools face threaten these values and impose greater financial strains on the public schools themselves and the general taxpayers. My bill provides needed financial relief in a framework of administrative simplicity. It will strengthen our entire system of elementary and secondary education in the United States, both public and private, and provide direct and indirect tax relief to virtually all taxpayers.

Mr. Speaker, I am appending to my remarks a section-by-section analysis of my bill.

The analysis follows:

"SECTION-BY-SECTION ANALYSIS OF H.R. 13020

"Section 1(a) adds a new section 42 to the Internal Revenue Code.

"*Section 42(a)* provides a credit against the individual income tax for tuition an individual pays to a private nonprofit elementary or secondary school on behalf of any dependent of the taxpayer. The credit does not include books, supplies, fees, and other items.

"*Section 42(b)* limits the credit for any year on behalf of any dependent to 50 percent of the tuition paid up to a maximum credit of $400. Additionally, the aggregate credit allowable is reduced by one dollar for every $20 by which the adjusted gross income of the taxpayer (or if married, the taxpayer and his spouse) for the taxable year exceeds $25,000.

"*Section 42(c)(1)* defines tuition as any amount paid for attendance at a private nonprofit elementary or secondary school. Meals, lodging, supplies, and similar items are specifically excluded.

"*Section 42(c)(2)* defines private nonprofit elementary or secondary school as an institution regularly offering education at the elementary or secondary level that fulfills the requirements of state compulsory education laws. Additionally, the organization must be one described in sections 501(c)(3) and 503(b)(2) of the Internal Revenue Code.

"Organizations described in section 501(c)(3) must be organized and operated exclusively for charitable educational purposes with no part of any net earnings inuring to any private shareholder or individual. Under *Rev. Rul.* 71–447, the Internal Revenue Service has held that such a school must not discriminate as to race on the basis of any of its policies or programs.

"Section 503(b)(2) describes an organization that normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on.

"*Section 42(c)(3)* makes it clear that the credit is inapplicable to education beyond the twelfth grade.

"*Section 42(d)* limits the credit to the amount of taxable income remaining after the application of the other credits allowable against individual income tax (e.g. the foreign tax credit). However, the credit for taxes withheld and certain fuel taxes is applied after the credit for tuition provided by the bill.

"*Section 42(e)* provides the Secretary with regulatory authority.

"Section 1(b) corrects section headings.

"Section 2 makes the bill effective for taxable years beginning after December 31, 1971."

Senator PELL. I now bring this meeting of the subcommittee to a close.

(Whereupon, at 4:30 p.m., the hearing was adjourned.)

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